



State of Wisconsin
1997 - 1998 LEGISLATURE

April 1998 Special Session

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**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 1**

May 14, 1998 – Offered by JOINT COMMITTEE ON FINANCE.

1 **AN ACT to repeal** 5.25 (4) (b), 5.35 (6) (a) 4., 5.55 (form), 5.58 (2) (b), 5.64 (1) (c),
2 5.64 (2) (a) and (b), 5.64 (3) (intro.), 6.865 (2), 6.92 (1) to (6), 6.925 (1) to (6), 7.15
3 (1) (cs), 8.17 (2), (3) and (4) (a) and (b), 10.66 (1m) (a), 10.76 (1r) (a), 11.05 (3)
4 (n), 11.06 (3), 11.31 (3m), 11.31 (4), 11.38 (2) (c) and 11.50 (4) (d); **to renumber**
5 5.02 (1); **to renumber and amend** 5.55 (intro.), 5.58 (2) (a), 5.62 (1) (b), 5.62
6 (2), 5.64 (1) (e), 5.64 (3) (a), 5.64 (3) (b), 6.92 (intro.), 6.925 (intro.), 8.17 (4) (c)
7 and 11.50 (9); **to consolidate, renumber and amend** 6.865 (intro.) and (1);
8 **to amend** 5.01 (4) (a), 5.02 (8m), 5.05 (1) (e), 5.15 (6) (b), 5.25 (1), 5.37 (3), 5.58
9 (1c), 5.58 (1r), 5.58 (2m), 5.60 (1) (intro.), 5.60 (1) (b), 5.60 (8) (a), 5.62 (1) (a), 5.62
10 (5), 5.64 (1) (intro.), 5.64 (1) (a), 5.64 (1) (b), 5.64 (1) (d), 5.64 (1) (f), 5.65, 5.81
11 (2), 6.15 (3) (b), 6.24 (1), (2) and (3), 6.24 (5), 6.28 (1), 6.29 (1), 6.77 (2), 6.79
12 (intro.), 6.79 (1), 6.79 (2), 6.80 (2) (e) and (f), 6.85, 6.86 (1) (b), 6.86 (3) (a), 6.87
13 (2), 6.88 (1), 7.03 (1) (bm), 7.08 (2) (c), 7.08 (2) (cm), 7.15 (2) (d), 7.30 (2) (a), 7.51

1 (2) (e), 7.51 (2) (g), 7.51 (4) (a), 7.53 (1), 7.53 (2) (d), 7.53 (3) (a), 7.60 (2), 7.60 (4)
2 (a), 7.60 (4) (b), 7.60 (4) (c), 7.60 (5), 7.60 (6), 7.70 (3) (d), 7.70 (3) (f), 8.05 (1) (j),
3 8.05 (3) (d) and (e), 8.05 (5), 8.06, 8.10 (3) (intro.), 8.10 (6) (a), 8.11 (1) (b) and
4 (d), (2), (2m) and (5), 8.12 (2), 8.15 (4) (a), 8.17 (1) (a), 8.17 (5) (b), 8.20 (3), 8.20
5 (9), 8.21, 8.35 (2) (a), 8.35 (4) (b) to (d), 8.40 (2), 8.50 (1) (a), 8.50 (1) (b), 8.50 (2)
6 (a), 8.50 (4) (fm), 9.01 (1) (ag) 1. and 2., 9.01 (2), 9.01 (5) (a), 9.01 (7) (a), 9.20 (4),
7 10.02 (3) (b) 1., 10.02 (3) (b) 2., 10.02 (3) (b) 2m., 10.02 (3) (b) 3. and 4., (c) and
8 (d), 10.82 (1) (e), 10.82 (2) (d), 10.82 (3) (d), 10.82 (4) (d), 10.82 (5) (c), 11.01 (12s),
9 11.01 (16) (a) 1., 11.02 (3), 11.03 (1), 11.05 (2r), 11.05 (13), 11.06 (1) (intro.), 11.06
10 (1) (a), 11.06 (1) (j), 11.06 (2), 11.06 (4) (b), 11.06 (7) (title), 11.06 (7) (a), 11.06
11 (7) (b), 11.06 (7) (c), 11.06 (7m) (a), 11.06 (7m) (b), 11.06 (7m) (c), 11.06 (11) (a),
12 11.09 (3), 11.12 (1) (a), 11.12 (1) (d), 11.12 (4), 11.12 (6), 11.16 (1) (a) and (b), 11.19
13 (1), 11.19 (2), 11.19 (4), 11.20 (1), 11.20 (7), 11.21 (9), 11.21 (15), 11.21 (16), 11.22
14 (10), 11.23 (4), 11.25 (2) (b), 11.26 (1) (intro.), 11.26 (1) (b), (c), (cc), (cg), (cn), (cw)
15 and (d), 11.26 (2) (intro.), 11.26 (8) (a), 11.26 (9) (a) and (b), 11.26 (9) (c), 11.26
16 (10), 11.30 (2) (d), 11.30 (5), 11.31 (1) (a), (b), (c) and (d), 11.31 (1) (e) and (f), 11.31
17 (2), 11.31 (3), 11.31 (7) (a), 11.31 (7) (c) and (d), 11.38 (title), (1) (a) and (2) (b),
18 11.38 (3) to (5), 11.38 (8), 11.50 (title), 11.50 (1) (b), 11.50 (2) (a), 11.50 (2) (b) 5.,
19 11.50 (2) (g), 11.50 (2) (i), 11.50 (3) (a) (intro.), 11.50 (3) (a) 1., 11.50 (3) (a) 2.,
20 11.50 (4) (b), 11.50 (4) (c), 11.50 (10m) (title), 11.50 (11) (d), 11.50 (11) (e), 11.50
21 (12), 11.60 (4) and (5), 14.58 (20), 20.510 (1) (q), 20.855 (4) (b), 24.66 (3) (b), 24.66
22 (4), 25.17 (1) (ys), 25.42, 32.72 (1), 38.08 (1) (a) 1., 59.05 (2), 59.08 (7) (b), 60.30
23 (4) (b), 60.62 (2), 60.74 (5) (b), 60.785 (2) (a), 61.187 (1), 61.46 (1), 62.09 (1) (a),
24 62.13 (6) (b), 64.03 (1), 64.39 (2), 64.39 (3), 66.01 (8), 66.021 (5) (a), 66.022 (3),
25 66.023 (4) (e) 1. and 2., 66.024 (4) (a) and (b), 66.027, 66.028 (6) (a) and (b),

1 66.059 (2m) (b), 66.061 (1) (c), 66.075 (5), 66.504 (2), 66.521 (10) (d), 66.77 (3)
2 (a) 1., 66.94 (4), 67.05 (4) and (5), 67.05 (6a) (a) 2. a., 67.05 (6m) (b), 67.10 (5)
3 (b), 67.12 (12) (e) 5., 67.12 (12) (e) 6., 71.10 (3) (title) and (a), 71.10 (3) (b) and
4 (c), 81.01 (3) (b), 86.21 (2) (a), 92.11 (4) (c), 117.20, 119.48 (4) (b), 119.48 (4) (c),
5 119.49 (1) (b) and (2), 120.06 (6) (b), 120.06 (7) (a), 120.06 (7) (b), 121.91 (3) (a),
6 125.05 (1) (b) 5., 197.04 (1) and (2), 197.10 (2), 198.19 (1), 755.01 (4) and 778.135;
7 and **to create** 5.02 (8g), 5.02 (26), 5.25 (4) (d), 5.51 (8), 5.62 (1) (b) 2., 5.62 (2)
8 (b), 5.64 (1) (e) 2., 5.64 (1) (eg), 5.655, 6.77 (3), 7.08 (5), 7.10 (5), 7.10 (6), 7.15
9 (1) (L), 7.21 (2m), 8.065, 8.10 (6) (bm), 8.17 (5) (bm), 8.37, 9.01 (1) (ag) 2g. and
10 2r., 11.01 (13), 11.01 (20), 11.02 (3e), 11.05 (3) (q), 11.06 (1) (am), 11.06 (1) (n),
11 11.065, 11.16 (2e), 11.20 (3) (jm), 11.21 (18), 11.24 (1r), 11.24 (1s), 11.24 (1t),
12 11.24 (1w), 11.25 (2) (am), 11.25 (2) (an), 11.25 (4), 11.26 (8m), 11.26 (8w), 11.26
13 (9m), 11.26 (10m), 11.31 (3n), 11.31 (9), 11.387, 11.50 (2m), 11.50 (9) (a) 1. to 6.,
14 11.50 (9a), 11.60 (3s) and (3t), 11.60 (3u), 13.82 (1) (d), 15.615, 20.855 (4) (ba),
15 67.05 (3) (am), 71.10 (3) (d) and 120.06 (8) (dm) of the statutes; **relating to:**
16 campaign financing; authorized dates for conduct of local government
17 referenda; absentee voting qualifications; late voter registration; location of
18 polling places; reports on impediments to voting; selection of party
19 committeemen and committeewomen; recount fees; delivery of recount
20 petitions to affected candidates; minutes of recount proceedings; certifications
21 by circulators of nomination papers and election-related petitions; presidential
22 ballots; maintenance of poll lists in an electronic format; an elector's residency
23 for voting purposes after municipal annexation; qualification of political
24 parties for separate positions on partisan primary and election ballots; the date
25 of special elections; the composition of the county board of canvassers;

1 eligibility of adult children of overseas electors to vote in this state; reporting
2 of election returns by ward; authorizing a county board of election
3 commissioners to bring civil actions for violations of the campaign financing
4 law; administration of elections for joint municipal judges; depositing ballots
5 in ballot boxes; the time for a hearing on recount appeals; write-in absentee
6 ballots; consolidated paper ballots; filing of referenda questions; ballot design;
7 filing of declarations of candidacy and recording of votes received by write-in
8 candidates in certain elections; the method of selection of election officials; the
9 procedure for challenging electors; terms of office of town officers; authorized
10 positions for the elections board; providing an exemption from emergency rule
11 procedures; granting rule-making authority; requiring a referendum;
12 providing penalties; and making appropriations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

13 **SECTION 1.** 5.01 (4) (a) of the statutes, as affected by 1997 Wisconsin Act 27, is
14 amended to read:

15 5.01 (4) (a) If 2 or more candidates for the same office receive the greatest, but
16 an equal number of votes, the winner shall be chosen by lot in the presence of the
17 board of canvassers charged with the responsibility to determine the election, ~~except~~
18 ~~as provided in s. 8.17 (4) (b), or in the case of an election for state or national office~~
19 ~~or municipal judge, if the judge is elected under s. 755.01 (4), or metropolitan~~
20 ~~sewerage commissioner, if the commissioner is elected under s. 66.23 (11) (am), in the~~
21 presence of the chairperson of the board.

22 **SECTION 2.** 5.02 (1) of the statutes is renumbered 5.02 (1c).

23 **SECTION 3.** 5.02 (8g) of the statutes is created to read.

1 5.02 (8g) “Local governmental unit” has the meaning given in s. 16.97 (7).

2 **SECTION 4.** 5.02 (8m) of the statutes is amended to read:

3 5.02 (8m) “Labor organization”, except for purposes of s. 11.387, means any
4 employe organization in which employes participate and which exists primarily for
5 the purpose of engaging in collective bargaining with any employer concerning
6 grievances, labor disputes, wages, hours or conditions of employment, or the
7 promotion and advancement of the professional or occupational standards and the
8 welfare of its members and families and any organization established for the same
9 purposes composed of individuals or affiliates of any such employe organization.

10 **SECTION 5.** 5.02 (26) of the statutes is created to read:

11 5.02 (26) “Write-in candidate” means a candidate who seeks or receives votes
12 at an election for an office without qualifying to have his or her name appear on the
13 ballot at that election for the office for which the candidate seeks or receives votes.

14 **SECTION 6.** 5.05 (1) (e) of the statutes is amended to read:

15 5.05 (1) (e) Delegate to its executive director the authority to issue a subpoena
16 under par. (b), apply for a search warrant under par. (b), commence an action under
17 par. (d), intervene in an action or proceeding under sub. (9), issue an order under s.
18 5.06, exempt a polling place from accessibility requirements under s. 5.25 (4) (a),
19 exempt a municipality from the requirement to use voting machines or an electronic
20 voting system under s. 5.40 (5m), approve an electronic data recording system for
21 maintaining poll lists under s. 6.79, or authorize nonappointment of an individual
22 who is nominated to serve as an election official under s. 7.30 (4) (e), subject to such
23 limitations as the board deems appropriate.

24 **SECTION 7.** 5.15 (6) (b) of the statutes is amended to read:

1 5.15 (6) (b) No later than 60 days before each September primary and general
2 election, and no later than 30 days before each other election the governing body of
3 any municipality may by resolution combine 2 or more wards for voting purposes to
4 facilitate using a common polling place. Whenever wards are so combined, the
5 original ward numbers shall continue to be utilized for all official purposes. Except
6 as otherwise authorized under this paragraph, every municipality having a
7 population of 50,000 or more, ~~or 35,000 or more after June 1, 1996,~~ shall maintain
8 separate returns for each ward so combined. In municipalities having a population
9 of less than 50,000, ~~or less than 35,000 after June 1, 1996,~~ the governing body may
10 provide in the resolution that returns shall be maintained only for each group of
11 combined wards at any election. ~~In municipalities having a population as shown in~~
12 ~~the 1990 federal decennial census of at least 87,000 but not more than 150,000, the~~
13 ~~governing body may provide in a resolution adopted prior to June 1, 1996 that groups~~
14 ~~of not more than 2 wards shall use common ballot boxes and ballots or voting~~
15 ~~machines and that returns shall be maintained only for each group of combined~~
16 ~~wards at any election held prior to June 1, 1996.~~ Whenever a governing body
17 provides for common ballot boxes and ballots or voting machines, separate returns
18 shall be maintained for each separate ballot required under ss. 5.62 and 5.64 at the
19 September primary and general election. The municipal clerk shall transmit a copy
20 of the resolution to the county clerk of each county in which the municipality is
21 contained. In municipalities having a population of less than 50,000, ~~or less than~~
22 ~~35,000 after June 1, 1996,~~ the resolution shall remain in effect for each election until
23 modified or rescinded, or until a new division is made under this section.

24 **SECTION 8.** 5.25 (1) of the statutes is amended to read:

1 5.25 (1) All elections under chs. 5 to 12 shall be held at the polling places
2 provided in this section. ~~So far as practicable, the~~ The places chosen shall be public
3 buildings, unless the use of a public building for this purpose is impracticable or a
4 nonpublic building better serves the needs of the electorate, as determined by the
5 authority charged with the responsibility for establishing polling places under sub.
6 (2).

7 **SECTION 9.** 5.25 (4) (b) of the statutes is repealed.

8 **SECTION 10.** 5.25 (4) (d) of the statutes is created to read:

9 5.25 (4) (d) No later than June 30, 1999, and every 2 years thereafter, the board
10 shall submit a report on impediments to voting faced by elderly and handicapped
11 individuals to the appropriate standing committees of the legislature under s. 13.172
12 (3). In preparing its report under this paragraph, the board shall consult with
13 appropriate advocacy groups representing the elderly and handicapped populations.

14 **SECTION 11.** 5.35 (6) (a) 4. of the statutes is repealed.

15 **SECTION 12.** 5.37 (3) of the statutes is amended to read:

16 5.37 (3) For presidential electors one device shall be provided to vote for all of
17 one party's electoral candidates at the same time. The device shall be opposite or
18 adjacent to the ~~ballot containing the~~ names of the party's candidates for president
19 and vice president.

20 **SECTION 13.** 5.51 (8) of the statutes is created to read:

21 5.51 (8) Unless otherwise specifically provided, the form of all ballots shall
22 conform to the ballot forms prescribed by the board under s. 7.08 (1) (a).

23 **SECTION 14.** 5.55 (intro.) of the statutes is renumbered 5.55 and amended to
24 read:

1 **5.55 Ballot identification.** On every ballot, except a ballot label or voting
2 machine ballot, shall be printed “Official Ballot” or “Official Ballot for”
3 followed by the designation of the polling place for which the ballot has been
4 prepared, the date of the election, and the official endorsement and blank
5 certificates. The number of the ward or wards or aldermanic district, if any, and the
6 name of the municipality may be omitted in printing and stamped or written on the
7 ballots at any location which is clearly visible at the option of the county clerk.
8 Printed information and initials shall appear on the back and outside of the ballot.
9 When a ballot card is employed with an electronic voting system, the date of the
10 election may be printed or stamped on the back of the ballot card in such a manner
11 that the card is not reusable, at the option of the county clerk. ~~Each ballot shall be~~
12 ~~prepared in substantially the following form:~~

13 **SECTION 15.** 5.55 (form) of the statutes is repealed.

14 **SECTION 16.** 5.58 (1c) of the statutes is amended to read:

15 5.58 (1c) MUNICIPAL JUDGE. There shall be a separate ballot for municipal
16 judges if they are elected under s. 755.01 (4). Arrangement of the names on the ballot
17 shall be determined by the board. ~~The ballot shall be entitled “Official Primary~~
18 ~~Ballot for Municipal Judge”~~ county clerk or the executive director of the county board
19 of election commissioners of the county having the largest portion of the population
20 in the jurisdiction served by the judge.

21 **SECTION 17.** 5.58 (1r) of the statutes is amended to read:

22 5.58 (1r) TOWN SANITARY DISTRICT COMMISSION. There shall be a separate ballot
23 for members of the town sanitary district commission if commissioners are elected
24 under s. 60.74 and the boundaries of the district are not coterminous with one or more
25 towns. Candidates for different seats shall be listed in separate columns or rows if

1 more than one seat is contested in any election. Arrangement of the names on the
2 ballot shall be determined by the town clerk of the town whose board of supervisors
3 directs the election, in the same manner as provided in s. 5.60 (1) (b). ~~The ballot shall~~
4 ~~be titled “Official Primary Ballot for Town Sanitary District Commission”.~~

5 **SECTION 18.** 5.58 (2) (a) of the statutes is renumbered 5.58 (2) and amended to
6 read:

7 5.58 (2) STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; JUDICIARY; COUNTY
8 EXECUTIVE; AND COUNTY SUPERVISORS. There shall be one separate ballot for state
9 superintendent, judicial officers, county executive under s. 59.17 and county
10 supervisor. In counties having a population of 500,000 or more, the ballot also shall
11 include those offices under s. 8.11 (2) and (2m). The arrangement of names of
12 candidates for state superintendent, justice, court of appeals judge and circuit court
13 judge shall be determined by the board in the manner specified in s. 5.60 (1) (b).
14 Arrangement of the names of candidates for county executive and county supervisor
15 shall be determined by the county clerk or by the executive director of the county
16 board of election commissioners in the manner specified in s. 5.60 (1) (b). ~~The ballot~~
17 ~~shall be titled “Official Ballot for State Superintendent of Public Instruction,~~
18 ~~Judicial, County Executive and County Supervisor Primary”.~~

19 **SECTION 19.** 5.58 (2) (b) of the statutes is repealed.

20 **SECTION 20.** 5.58 (2m) of the statutes is amended to read:

21 5.58 (2m) METROPOLITAN SEWERAGE COMMISSION. There shall be a separate
22 ballot for members of the metropolitan sewerage commission if commissioners are
23 elected under s. 66.23 (11) (am), with candidates for different seats listed in separate
24 columns or rows if more than one seat is contested at any election. Arrangement of

1 the names on the ballot shall be determined by the board. ~~The ballot shall be titled~~
2 ~~“Official Primary Ballot for Metropolitan Sewerage Commission”.~~

3 **SECTION 21.** 5.60 (1) (intro.) of the statutes is amended to read:

4 5.60 (1) STATE SUPERINTENDENT; JUDICIARY; COUNTY EXECUTIVE AND COUNTY
5 SUPERVISORS. (intro.) There shall be one separate ballot for state superintendent,
6 judicial officers, county executive and county supervisor. For county supervisor, the
7 ballot shall be prepared in accordance with ss. 5.58 (2) and 59.10 (3). Arrangement
8 of the names of candidates for county executive ~~and~~, county supervisor and
9 municipal judge, if the judge is elected under s. 755.01 (4), shall be determined by
10 the county clerk or the executive director of the county board of election
11 commissioners determining ballot arrangement under s. 5.58 (1c), in the manner
12 prescribed in par. (b).

13 **SECTION 22.** 5.60 (1) (b) of the statutes is amended to read:

14 5.60 (1) (b) The board shall certify the candidates' names and designate the
15 official ballot arrangement for candidates for state superintendent, justice, court of
16 appeals judge, circuit judge, ~~municipal judge elected under s. 755.01 (4)~~ and, if
17 commissioners are elected under s. 66.23 (11) (am), the metropolitan sewerage
18 commission. The arrangement of names of all candidates on the ballot whose
19 nomination papers are filed with the board shall be determined by the board by the
20 drawing of lots not later than the 2nd Tuesday in January, or the next day if the first
21 Tuesday is a holiday. Whenever a primary is held for an office, a 2nd drawing of all
22 candidates for that office shall be held by or under the supervision of the board not
23 later than the 3rd day following the completion of the primary canvass to determine
24 the arrangement of candidates on the election ballot.

25 **SECTION 23.** 5.60 (8) (a) of the statutes is amended to read:

1 5.60 (8) (a) An official ballot shall be printed and provided for use in each voting
2 district. The form of each ballot shall be substantially as follows:

3 ~~1. Form 1, to be used when there are several candidates:~~

4 OFFICIAL BALLOT

5 PRESIDENTIAL PREFERENCE VOTE

6 Party

7 ~~MARK THIS BALLOT IN ONE SPACE ONLY. You have one of 3 choices—you may either:~~

8 ~~Express your preference for one of the persons whose names are printed on this~~
9 ~~ballot (in that case, make a cross (X) in the square after that person’s name); or~~

10 ~~Vote for an uninstructed delegation from Wisconsin to the national convention~~
11 ~~of the party (in that case, make a cross (X) in the square following “Uninstructed~~
12 ~~delegation”); or~~

13 ~~Write in the name of another person to become the presidential candidate of the~~
14 ~~.... party (in that case, write that person’s name into the space following “Write in~~
15 ~~candidate”).~~

16 OLE CARLSON ()

17 AMOS DUNCAN ()

18 JAMES UNDERWOOD ()

19 Uninstructed delegation ()

20 Write-in candidate

21 ~~2. Form 2, to be used when there is only one candidate:~~

22 OFFICIAL BALLOT

23 PRESIDENTIAL PREFERENCE VOTE

24 Party

25 ~~MARK THIS BALLOT IN ONE SPACE ONLY. You have one of 3 choices—you may either:~~

1 Express your preference for the person whose name is printed on this ballot (in
2 that case, make a cross (X) in the square after that person’s name); or

3 Vote for an uninstructed delegation from Wisconsin to the national convention
4 of the party (in that case, make a cross (X) in the square marked “Uninstructed
5 delegation” following that person’s name); or

6 Write in the name of another person to become the presidential candidate of the
7 party (in that case, write that person’s name into the space following “Write in
8 candidate”).

9 JOHN DOE ()

10 Uninstructed delegation ()

11 Write-in candidate

12 3. Form 3, to be used when there are no candidates who have qualified to appear
13 on the ballot:

14 OFFICIAL BALLOT

15 PRESIDENTIAL PREFERENCE VOTE

16 Party

17 MARK THIS BALLOT IN ONE SPACE ONLY. There are no candidates of the party who
18 have qualified to have their names appear on the printed ballot. You have 2
19 choices—you may either:

20 Express your preference for an uninstructed delegation from Wisconsin to the
21 national convention of the party (in that case, make a cross (X) in the square
22 following “Uninstructed delegation”); or

23 Write in the name of a person to become the presidential candidate of the
24 party (in that case, write that person’s name into the space following “Write in
25 candidate”).

1 Uninstructed delegation ()

2 Write-in candidate

3 **SECTION 24.** 5.62 (1) (a) of the statutes is amended to read:

4 5.62 (1) (a) At September primaries, the following ballot shall be provided for
5 the nomination of candidates of recognized political parties for national, state and
6 county offices and independent candidates ~~for state office~~ in each ward, in the same
7 form as prescribed by the board under s. 7.08 (1) (a). The ballots shall be made up
8 of the several party tickets with each party entitled to participate in the primary
9 under par. (b) or sub. (2) having its own ballot. The independent candidates ~~for state~~
10 ~~office other than district attorney~~ shall have a separate ballot for all such candidates
11 as under s. 5.64 (1) (e). The ballots shall be secured together at the bottom. The party
12 ballot of the party receiving the most votes for president or governor at the last
13 general election shall be on top with the other parties arranged in descending order
14 based on their vote for president or governor at the last general election. The ballots
15 of parties qualifying under sub. (2) shall be placed after the parties qualifying under
16 par. (b), in the same order in which the parties filed petitions with the board. The
17 ballot listing the independent candidates shall be placed at the bottom. On that
18 ballot, if a place is designated to write in the names of any party candidates under
19 par. (b) 2. or sub. (2) (b), the places shall appear before the names of the independent
20 candidates in the same order in which the ballots of their parties would appear under
21 this paragraph. At polling places where voting machines are used, each party and
22 the independent candidates shall be represented in one or more separate columns
23 or rows on the ballot. At polling places where an electronic voting system is used
24 other than an electronic voting machine, each party and the independent candidates
25 may be represented in separate columns or rows on the ballot.

1 **SECTION 25.** 5.62 (1) (b) of the statutes is renumbered 5.62 (1) (b) 1. and
2 amended to read:

3 5.62 (1) (b) 1. ~~Every~~ Except as provided in subd. 2. and s. 5.64 (1) (e) 2., every
4 recognized political party listed on the official ballot at the last gubernatorial election
5 whose candidate for any statewide office received at least ~~one percent~~ 1% of the total
6 votes cast for that office and, if the last general election was also a presidential
7 election, every recognized political party listed on the ballot at that election whose
8 candidate for president received at least ~~one percent~~ 1% of the total vote cast for that
9 office shall have a separate primary ballot or one or more separate columns or rows
10 on the primary ballot as prescribed in par. (a) and a separate column on the general
11 election ballot in every ward and election district. An organization which was listed
12 as “independent” at the last general election and whose candidate meets the same
13 qualification shall receive the same ballot status upon petition of the chairperson
14 and secretary of the organization to the board requesting such status and specifying
15 their party name, which may not duplicate the name of an existing party. A petition
16 under this ~~paragraph~~ subdivision may be filed no later than 5 p.m. on June 1 in the
17 year of each general election. ~~This paragraph applies to a party only if at least one~~
18 ~~candidate of the party for a state office qualifies to have his or her name appear on~~
19 ~~the ballot under the name of the party at the last gubernatorial election.~~

20 **SECTION 26.** 5.62 (1) (b) 2. of the statutes is created to read:

21 5.62 (1) (b) 2. Subdivision 1. applies to a party within any assembly district or
22 county at any September primary election only if at least one candidate of the party
23 for any national, state or county office qualifies to have his or her name appear on
24 the ballot under the name of that party within that assembly district or county. The
25 county clerk or county board of election commissioners shall provide a place on the

1 ballot for the independent candidates that will permit an elector to cast a vote for a
2 write-in candidate for the nomination of any party for each national, state and
3 county office whenever that party qualifies to be represented on a separate primary
4 ballot or on one or more separate columns or rows under subd. 1. but does not qualify
5 under this subdivision.

6 **SECTION 27.** 5.62 (2) of the statutes is renumbered 5.62 (2) (a) and amended to
7 read:

8 5.62 (2) (a) Any Except as provided in par. (b) and s. 5.64 (1) (e) 2., any political
9 organization may be represented on a separate primary ballot or one or more
10 separate columns or rows on the primary ballot as prescribed in sub. (1) (a) and a
11 separate column on the general election ballot in every ward and election district if,
12 not later than 5 p.m. on June 1 in the year of a September primary, it files with the
13 board a petition so requesting. To qualify for a separate ballot, the petition shall be
14 signed by at least 10,000 electors, including at least 1,000 electors residing in each
15 of at least 3 separate congressional districts. The petition shall conform to the
16 requirements of s. 8.40. No signature obtained before January 1 in the year of filing
17 is valid. When the candidates of a political organization filing a valid petition fulfill
18 the requirements prescribed by law, they shall appear on a separate ballot or one or
19 more separate columns or rows on the ballot for the period ending with the following
20 general election.

21 **SECTION 28.** 5.62 (2) (b) of the statutes is created to read:

22 5.62 (2) (b) Paragraph (a) applies to a party within any assembly district or
23 county at any September primary election only if at least one candidate of the party
24 for any national, state or county office qualifies to have his or her name appear on
25 the ballot under the name of that party within that assembly district or county. The

1 county clerk or county board of election commissioners shall provide a place on the
2 ballot for the independent candidates that will permit an elector to cast a vote for a
3 write-in candidate for the nomination of any party for each national, state and
4 county office whenever that party qualifies to be represented on a separate primary
5 ballot or on one or more separate columns or rows under par. (a) but does not qualify
6 under this paragraph.

7 **SECTION 29.** 5.62 (5) of the statutes is amended to read:

8 5.62 (5) At the September primary, an elector may vote for the candidates of
9 only one party, or the elector may vote for any of the independent candidates for state
10 office listed; but the elector may not vote for more than one candidate for a single
11 office. A space shall be provided on the ballot for an elector to write in the name of
12 his or her choice as a party candidate for any office, including a party candidate of
13 a party whose name appears on the ballot, column or row designated for independent
14 candidates, as provided in sub. (1) (b) or (2) (b), but no space shall be provided to write
15 in the names of independent candidates.

16 **SECTION 30.** 5.64 (1) (intro.) of the statutes is amended to read:

17 5.64 (1) OFFICIAL BALLOT. (intro.) There shall be a separate ballot giving the
18 names of all candidates for president and vice president and for statewide,
19 congressional, legislative and county offices in the same form as prescribed by the
20 board under s. 7.08 (1) (a).

21 **SECTION 31.** 5.64 (1) (a) of the statutes is amended to read:

22 5.64 (1) (a) The ballot shall be labeled “Official Ballot” in lettering at least
23 ~~three-eighths inch high.~~ Directly underneath in plain, legible type, shall be the
24 following voting instructions: “If you desire permit an elector to vote a straight party
25 ticket for president and vice president, whenever those offices are contested, and for

1 all statewide, congressional, legislative and county offices, ~~make a cross (X) in the~~
2 ~~circle under the party designation at the top of the party column. If you desire, to~~
3 ~~vote for individual candidates, make a cross (X) in the square at the RIGHT of the~~
4 ~~name of each candidate for whom you desire to vote. To for each office or to vote for~~
5 ~~a person whose name does not appear on the ballot, write the name in the blank space~~
6 ~~provided for the purpose for any office. When voting for governor and lieutenant~~
7 ~~governor, you may the ballot shall permit an elector to vote only for the candidates~~
8 ~~on one ticket jointly or write in the names of persons in both spaces.”. Under the~~
9 ~~party designation at the top of each party column shall appear the following words~~
10 ~~in boldface type: “Make a cross (X) in this circle to vote a straight party ticket.”.~~

11 **SECTION 32.** 5.64 (1) (b) of the statutes is amended to read:

12 5.64 (1) (b) ~~Below the voting instructions the ballot shall be divided into~~
13 ~~vertical columns. The names of the candidates on the regular party tickets~~
14 ~~nominated at the primary or replacements appointed under s. 8.35 (2) shall be~~
15 ~~printed each in appear in a separate column under the party designation. The~~
16 ~~columns shall be arranged from left to right according to rank, based on the number~~
17 ~~of votes received by the each party’s candidate for president or governor at the last~~
18 ~~general election beginning with the party that received the most votes. To the right~~
19 ~~of the columns for parties qualifying under s. 5.62 (1) (b) shall be placed the columns~~
20 ~~for parties qualifying under s. 5.62 (2) in the same order in which the parties filed~~
21 ~~petitions with the board. To the right of the party columns shall be a column for the~~
22 ~~names of independent candidates for each office, or more than one column if the first~~
23 ~~column does not provide sufficient space for the names of all such candidates.~~

24 **SECTION 33.** 5.64 (1) (c) of the statutes is repealed.

25 **SECTION 34.** 5.64 (1) (d) of the statutes is amended to read:

1 5.64 (1) (d) The offices shall be arranged beginning with president and vice
2 president or governor and lieutenant governor, whenever these offices are filled, and
3 then the remaining offices in the order designated under s. 5.62 (3).

4 **SECTION 35.** 5.64 (1) (e) of the statutes is renumbered 5.64 (1) (e) 1. and
5 amended to read:

6 5.64 (1) (e) 1. ~~Within each column, each space shall state the office to be voted~~
7 ~~for directly above the candidate's first and last name. The~~ Except as provided in
8 subd. 2., each candidate's name shall be placed in the party column of the party by
9 which nominated or if independent, in a column designated independent and all
10 candidates for the same office shall appear within the same rows on the ballot. ~~Below~~
11 If a place is designated to write in the names of any party candidates in the column
12 for independent candidates under subd. 2., the places shall appear before the name
13 of the independent candidates in the same order in which the columns of their parties
14 would appear under par. (b). Along with the names of the independent candidates
15 shall appear the party or principle of the candidates, if any, in 5 words or less, as
16 shown on their nomination papers. Independent candidates for the same county
17 office shall be listed in the same manner in an order drawn by lot by or under
18 supervision of the county clerk or board of election commissioners. The board shall
19 conduct a redrawing for purposes of determining the arrangement of independent
20 candidates for state office who appeared on the primary ballot in the manner
21 provided in s. 5.60 (1) (b). ~~To the right of each candidate's name, in each column, shall~~
22 ~~be a square for the elector to make his or her cross (X).~~

23 **SECTION 36.** 5.64 (1) (e) 2. of the statutes is created to read:

24 5.64 (1) (e) 2. There shall be a separate column for the candidates of each party
25 qualifying for that column under s. 5.62 (1) (b) or (2), except that if, within any

1 assembly district or county, there are no candidates for any national, state or county
2 office representing such a party who qualify to have their names appear on the ballot
3 under the name of that party within that assembly district, the county clerk or board
4 of election commissioners shall provide a space within the column for the
5 independent candidates that will permit an elector to cast a vote for a write-in
6 candidate of that party for each national, state and county office.

7 **SECTION 37.** 5.64 (1) (eg) of the statutes is created to read:

8 5.64 (1) (eg) In the case of balloting for the offices of president and vice
9 president, the names of the candidates shall be placed in the column of the party
10 which nominated them or if independent, in a column designated independent. In
11 each column there shall be one choice for the elector to cast a ballot jointly for both
12 offices.

13 **SECTION 38.** 5.64 (1) (f) of the statutes is amended to read:

14 5.64 (1) (f) In the case of balloting for the office of governor and lieutenant
15 governor, the names of the candidates shall be placed in the party column by which
16 nominated or if independent, in a column designated independent. ~~To the right of~~
17 ~~the names of the set of candidates for governor and lieutenant governor, in In each~~
18 ~~column there shall be one square choice for the elector to cast a ballot jointly for both~~
19 ~~offices.~~

20 **SECTION 39.** 5.64 (2) (a) and (b) of the statutes are repealed.

21 **SECTION 40.** 5.64 (3) (intro.) of the statutes is repealed.

22 **SECTION 41.** 5.64 (3) (a) of the statutes is renumbered 5.64 (1) (em) and
23 amended to read:

24 5.64 (1) (em) ~~The ballot shall be titled "Official Presidential Ballot" in lettering~~
25 ~~at least three eighths inch high. Directly underneath in plain, legible type shall be~~

1 ~~the following voting instructions: “Make a cross (X) in the square opposite the names~~
2 ~~of the candidates for whose electors you desire to vote or write in the names of~~
3 ~~candidates for president and vice president in the space provided for the purpose.~~
4 ~~Vote in ONE square only.”~~ The names of the candidates for the offices of president
5 and vice president certified under s. 8.16 (7) or filed under s. 8.20 shall appear on the
6 ballot in the form prescribed in s. 7.08 (2) (a). The names of the presidential electors
7 for the candidates supplied under ss. 8.18 (2) and 8.20 (2) (d) are not listed on the
8 ballot but a vote for the candidates for president and vice president is a vote for them
9 through their named presidential electors.

10 **SECTION 42.** 5.64 (3) (b) of the statutes is renumbered 5.64 (1) (es) and amended
11 to read:

12 5.64 (1) (es) The party candidates shall be arranged consecutively from top to
13 bottom based on the number of votes received by their party’s candidate for governor
14 at the last election beginning with the party that received the most votes. The
15 independent president–vice president candidates shall be listed together in an order
16 drawn by lot by or under supervision of the board, following under the party
17 candidates. ~~Below~~ Along with the names of the independent candidates shall appear
18 the party or principle of the candidates, if any, in 5 words or less, as shown on their
19 nomination papers. Following under the independent candidates, a space shall be
20 left for writing in the names of a candidate for president and vice president.

21 **SECTION 43.** 5.65 of the statutes is amended to read:

22 **5.65 Special referendum ballots.** Unless otherwise provided, ballots for
23 special referenda shall conform to the format prescribed ~~in~~ under s. 5.64 (2), insofar
24 as applicable.

25 **SECTION 44.** 5.655 of the statutes is created to read:

1 **5.655 Special consolidated paper ballot.** (1) Whenever a municipality
2 employing paper ballots is required to utilize separate ballots for certain offices or
3 referenda at an election, the municipality may, with the approval of the county clerk
4 or board of election commissioners of each county in which there is located any
5 portion of the municipality where one or more electors reside, substitute a ballot that
6 is utilized with an electronic voting system by any municipality that is located in any
7 such county, if the ballot contains all of the applicable information required to be
8 provided for paper ballots at that election. On such a ballot, there shall appear all
9 offices and referenda on which votes are to be cast at the election. Such a ballot may
10 only be distributed to electors who are eligible to vote for all of the offices and in all
11 of the referenda appearing on the ballot. The municipality shall utilize separate
12 ballots to the extent required to permit participation in an election by those electors
13 of the municipality who are not authorized to vote for all offices and in all referenda.

14 (2) The board shall require the same notices and instructions to be given to
15 electors who use a ballot that is authorized under sub. (1) as are provided to electors
16 who use the same ballot with an electronic voting system, insofar as applicable.

17 **SECTION 45.** 5.81 (2) of the statutes is amended to read:

18 5.81 (2) When an electronic voting system utilizes a ballot label booklet and
19 ballot card, ballots for candidates and ballots on referenda may be placed on the
20 voting device by providing in the ballot booklet separate ballot label pages or series
21 of pages distinguished by differing colors. Whenever practicable, all candidates for
22 the same office shall appear in the booklet on the same page or facing pages. More
23 than one question may be placed on the same ballot page or series of pages. In
24 elections where provision is made for straight party voting ~~by marking a party circle,~~
25 the designation of the political parties for straight party voting shall be on a separate

1 page on which no names of candidates may appear. On each succeeding page of the
2 candidate booklet, where the ballot information is listed vertically, the party
3 affiliation of each candidate or the designation “independent” or the candidate’s
4 statement of principles, if any, shall appear ~~immediately to the left of~~ next to the
5 candidate’s name, and the name of candidates for the same office shall be listed
6 vertically under the title of that office.

7 **SECTION 46.** 6.15 (3) (b) of the statutes is amended to read:

8 6.15 (3) (b) *Election day.* An eligible elector may appear at the polling place for
9 the ward or election district where he or she resides and make application for a ballot
10 under sub. (2). In such case, the inspector or special registration deputy shall
11 perform the duties of the municipal clerk. The elector shall provide identification.
12 If the elector is qualified, he or she shall be permitted to vote. The elector shall mark
13 or punch the ballot and, unless the ballot is utilized with an electronic voting system,
14 the elector shall fold the ballot, and shall deposit the ballot in the ballot box or give
15 it to the inspector. The inspector shall deposit it directly in the ballot box. Voting
16 machines or ballots utilized with electronic voting systems may only be used by
17 electors voting under this section if they permit voting for president and vice
18 president only.

19 **SECTION 47.** 6.24 (1), (2) and (3) of the statutes are amended to read:

20 6.24 (1) DEFINITION. In this section, “overseas elector” means a U.S. citizen who
21 is not disqualified from voting under s. 6.03, who has attained or will attain the age
22 of 18 by the date of an election at which the citizen proposes to vote and who does not
23 qualify as a resident of this state under s. 6.10, but who was last domiciled in this
24 state or whose parent was last domiciled in this state immediately prior to departure

1 from the United States, and who is not registered to vote or voting in any other state,
2 territory or possession.

3 **(2) ELIGIBILITY.** An overseas elector under sub. (1) may vote in any election for
4 national office, including the September primary and presidential preference
5 primary and any special primary or election. Such elector may not vote in an election
6 for state or local office. An overseas elector shall vote in the ward or election district
7 in which ~~he or she~~ the elector was last domiciled or in which the elector's parent was
8 last domiciled prior to departure from the United States.

9 **(3) REGISTRATION.** If registration is required in the municipality where the
10 overseas elector ~~resides~~ resided or where the elector's parent resided, the elector
11 shall register on a form prescribed by the board designed to ascertain the elector's
12 qualifications under this section. The form shall be substantially similar to the
13 original form under s. 6.33 (1), insofar as applicable. Registration shall be
14 accomplished in accordance with s. 6.30 (3).

15 **SECTION 48.** 6.24 (5) of the statutes is amended to read:

16 6.24 **(5) BALLOTS.** The board shall prescribe a special ballot for use under this
17 section whenever necessary. Official ballots ~~under ss. 5.60 (8) and 5.64 (3)~~ prescribed
18 for use in the presidential preference primary may also be used. The ballot shall be
19 designed to comply with the requirements of prescribed under ss. 5.60 (8), 5.62 and
20 5.64 (1) insofar as applicable. All ballots shall be limited to national offices only.

21 **SECTION 49.** 6.28 (1) of the statutes is amended to read:

22 6.28 **(1) REGISTRATION LOCATIONS; DEADLINE.** ~~Registration~~ Except as authorized
23 in ss. 6.29 and 6.55 (2), registration in person for any election shall close at 5 p.m.
24 on the 2nd Wednesday preceding the election. Registrations made by mail under s.
25 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later

1 than the 2nd Wednesday preceding the election. An application for registration in
2 person or by mail may be accepted for placement on the registration list after the
3 specified deadline, if the municipal clerk determines that the registration list can be
4 revised to incorporate the registration in time for the election. All applications for
5 registration corrections and additions may be made throughout the year at the office
6 of the city board of election commissioners, at the office of the municipal clerk, at the
7 office of any register of deeds or at other locations provided by the board of election
8 commissioners or the common council in cities over 500,000 population or by either
9 or both the municipal clerk, or the common council, village or town board in all other
10 municipalities and may also be made during the school year at any high school by
11 qualified persons under sub. (2) (a). Other registration locations may include but are
12 not limited to fire houses, police stations, public libraries, institutions of higher
13 education, supermarkets, community centers, plants and factories, banks, savings
14 and loan associations and savings banks. Special registration deputies shall be
15 appointed for all locations.

16 **SECTION 50.** 6.29 (1) of the statutes is amended to read:

17 6.29 (1) No names may be added to a registration list for any election after the
18 close of registration, except as authorized under this section or s. 6.28 (1) or s. 6.55
19 (2) or (3). Any person whose name is not on the registration list but who is otherwise
20 a qualified elector is entitled to vote at the election upon compliance with this section.

21 **SECTION 51.** 6.77 (2) of the statutes is amended to read:

22 6.77 (2) ~~Whenever~~ Except as provided in sub. (3), whenever territory which was
23 formerly a part of one municipality becomes a part of another municipality, an elector
24 of the territory shall vote in the municipality in which the territory is included on the
25 day of the election.

1 **SECTION 52.** 6.77 (3) of the statutes is created to read:

2 6.77 (3) Whenever territory which was formerly a part of one municipality
3 becomes a part of another municipality less than 10 days prior to the election, an
4 elector of the territory shall vote in the municipality in which the territory was
5 formerly included.

6 **SECTION 53.** 6.79 (intro.) of the statutes is amended to read:

7 **6.79 Recording electors.** (intro.) Two election officials at each election ward
8 shall be in charge of and shall maintain 2 separate lists of all persons voting. The
9 municipal clerk may elect to maintain the information on the poll list manually or
10 electronically. If the list is maintained electronically, the officials shall enter the
11 information into an electronic data recording system which enables retrieval of a
12 printed copy of the poll list at the polling place. The system employed is subject to
13 the approval of the board.

14 **SECTION 54.** 6.79 (1) of the statutes is amended to read:

15 6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. Where there is no registration,
16 before being permitted to vote, each person shall state his or her full name and
17 address. The officials shall ~~record~~ enter each name and address on a poll list in the
18 same order as the votes are cast. If the residence of the elector does not have a
19 number, the election officials shall, in the appropriate space, ~~write~~ enter "none".
20 Alternatively, the municipal clerk may maintain a poll list consisting of the full name
21 and address of electors compiled from previous elections. Whenever an elector
22 appears to vote, the officials shall verify the correctness of the elector's name and
23 address, and shall enter a serial number next to the name of the elector in the order
24 that the votes are cast, beginning with the number one. If the name and address of
25 an elector do not appear on the prepared poll list, the officials shall ~~record~~ enter the

1 name, address and serial number of the elector at the bottom of the list. The officials
2 may require any elector to provide identification, including acceptable proof of
3 residence, or to have another elector corroborate his or her information in accordance
4 with the procedure specified in s. 6.55 (2) (b) before permitting the elector to vote.
5 The officials shall maintain a separate list of those persons voting under ss. 6.15 and
6 6.24.

7 **SECTION 55.** 6.79 (2) of the statutes is amended to read:

8 **6.79 (2) MUNICIPALITIES WITH REGISTRATION.** Where there is registration, each
9 person, before receiving a voting number, shall state his or her full name and
10 address. Upon the prepared registration list, after the name of each elector, the
11 officials shall enter the serial number of the vote as it is polled, beginning with
12 number one. Each elector shall receive a slip bearing the same serial number. A
13 separate list shall be maintained for electors who are voting under s. 6.15, 6.29 or
14 6.55 (2) or (3) and electors who are reassigned from another polling place under s.
15 5.25 (5) (b). Each such elector shall have his or her full name, address and serial
16 number likewise recorded ~~recorded~~ entered and shall be given a slip bearing such number.

17 **SECTION 56.** 6.80 (2) (e) and (f) of the statutes are amended to read:

18 **6.80 (2) (e)** Upon voting his or her ballot, the elector shall publicly and in person
19 deposit it in the ballot box or deliver it to an inspector ~~for,~~ who shall deposit the ballot
20 in the ballot box.

21 (f) In the presidential preference primary and other partisan primary elections
22 at polling places where ballots are distributed to electors, unless the ballots are
23 utilized with an electronic voting system in which all candidates appear on the same
24 ballot, after the elector prepares his or her ballot the elector shall detach the
25 remaining ballots, fold the ballots to be discarded, and fold the completed ballot

1 unless the ballot is intended for counting with automatic tabulating equipment, The
2 elector shall then either personally deposit the ballots to be discarded in the separate
3 ballot box marked "blank ballot box", and deposit the completed ballot in the ballot
4 box indicated by the inspectors ,or give the ballots to an inspector who shall deposit
5 the ballots directly into the appropriate ballot boxes. The inspectors shall keep the
6 blank ballot box locked until the canvass is completed and shall dispose of the blank
7 ballots as prescribed by the municipal clerk.

8 **SECTION 57.** 6.85 of the statutes is amended to read:

9 **6.85 Absent elector; definition.** An absent elector is any otherwise qualified
10 elector who ~~is or expects to be absent from the municipality in which the absent~~
11 ~~elector is a qualified elector on election day whether by reason of active service in the~~
12 ~~U.S. armed forces or for any other reason, or who because of age, sickness, handicap,~~
13 ~~physical disability, jury duty, service as an election official or religious reasons~~
14 ~~cannot~~ is unable or unwilling to appear at the polling place in his or her ward. No
15 person under the age of 70 qualifies as an absent elector solely because of age. Any
16 otherwise qualified elector who changes residence within this state by moving to a
17 different ward or municipality later than 10 days prior to an election may vote an
18 absentee ballot in the ward or municipality where he or she was qualified to vote
19 before moving. An elector qualifying under this section may vote by absentee ballot
20 under ss. 6.86 to 6.89.

21 **SECTION 58.** 6.86 (1) (b) of the statutes is amended to read:

22 **6.86 (1) (b)** Except as provided in this section, if application is made in writing,
23 the application, signed by the elector, shall be received no later than 5 p.m. on the
24 Friday immediately preceding the election. If application is made in person, the
25 application shall be made no later than 5 p.m. on the day preceding the election. If

1 the elector is making written application and the application indicates that the
2 reason for requesting an absentee ballot is that the elector is a sequestered juror, the
3 application shall be received no later than 5 p.m. on election day. If the application
4 is received after 5 p.m. on the Friday immediately preceding the election, the
5 municipal clerk or the clerk's agent shall immediately take the ballot to the court in
6 which the elector is serving as a juror and deposit it with the judge. The judge shall
7 recess court, as soon as convenient, and give the elector the ballot. The judge shall
8 then notarize the affidavit as provided in s. 6.87 and shall deliver the ballot to the
9 clerk or agent of the clerk who shall deliver it to the polling place as required in s.
10 6.88. If application is made under sub. (2), the application may be received no later
11 than 5 p.m. on the Friday immediately preceding the election.

12 **SECTION 59.** 6.86 (3) (a) of the statutes is amended to read:

13 6.86 (3) (a) Any elector who is registered, or otherwise qualified where
14 registration is not required, and who ~~qualifies under ss. 6.20 and 6.85 as an absent~~
15 ~~elector because the elector is hospitalized,~~ may apply for and obtain an official ballot
16 by agent. The agent may apply for and obtain a ballot for the hospitalized absent
17 elector by presenting a form prescribed by the board and containing the required
18 information supplied by the hospitalized elector and signed by that elector and any
19 other elector residing in the same municipality as the hospitalized elector,
20 corroborating the information contained therein. The corroborating elector shall
21 state on the form his or her full name and address.

22 **SECTION 60.** 6.865 (intro.) and (1) of the statutes are consolidated, renumbered
23 6.865 and amended to read:

24 **6.865 Federal postcard request form.** A federal postcard registration and
25 absentee ballot request form may be used to apply for an absentee ballot under s. 6.86

1 (1) if the form is completed in such manner that the municipal clerk or board of
2 election commissioners with whom it is filed is able to determine all of the following:
3 ~~(1) That~~ that the applicant is an elector of this state and of the ward or election
4 district where the elector seeks to vote.

5 **SECTION 61.** 6.865 (2) of the statutes is repealed.

6 **SECTION 62.** 6.87 (2) of the statutes is amended to read:

7 6.87 (2) The municipal clerk shall place the ballot in an unsealed envelope
8 furnished by the clerk. The envelope shall have the name, official title and
9 post-office address of the clerk upon its face. The other side of the envelope shall
10 have a printed certificate-affidavit in substantially the following form:

11 [STATE OF

12 County of]

13 or

14 [(name of foreign country and city or other jurisdictional unit)]

15 I, ..., (certify) (do solemnly swear) subject to the penalties of s. 12.60 (1) (b), Wis.
16 Stats., for false statements, that I am a resident of the [... ward of the] (town) (village)
17 of ..., or of the aldermanic district in the city of ..., residing at in said city, the
18 county of ..., state of Wisconsin, and am entitled to vote in the (ward) (election
19 district) at the election to be held on ...; that I am not voting at any other location
20 in this election; that I cannot am unable or unwilling to appear at the polling place
21 in the (ward) (election district) on election day because I expect to be absent from the
22 municipality or because of age, sickness, handicap, physical disability, religious
23 reasons, jury duty, service as an election official, or because I have changed my
24 residence within the state from one ward or election district to another within 10
25 days before the election. I (certify) (swear) that I exhibited the enclosed ballot

1 unmarked to the (2 witnesses) (person administering the oath), that I then in (their)
2 (his) (her) presence and in the presence of no other person marked the ballot and
3 enclosed and sealed the same in this envelope in such a manner that no one but
4 myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I
5 requested assistance, could know how I voted.

6 Signed

7 The (2 witnesses) (person administering the oath) shall execute either of the
8 following as appropriate:

9 We, the undersigned witnesses, subject to the penalties of s. 12.60 (1) (b), Wis.
10 Stats., for false statements, certify that the above statements are true and the voting
11 procedure was executed as there stated. Neither of us is a candidate for any office
12 on the enclosed ballot (except in the case of an incumbent municipal clerk). The
13 elector was not solicited or advised by us to vote for or against any candidate or
14 measure.

15(Name)

16(Address)

17(Name)

18(Address)

19 Subscribed and sworn to before me this day of, A.D.,, and I hereby
20 certify that I am not a candidate on the ballot upon which the affiant voted (unless
21 I am an incumbent municipal clerk), that the voting procedure above was executed
22 as therein stated, and that the affiant was not solicited or advised by me to vote for
23 or against any candidate or measure.

24(Name)

25(Title)

1 (State or nation)

2 **SECTION 63.** 6.88 (1) of the statutes is amended to read:

3 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
4 the clerk shall enclose it, unopened, in a carrier envelope which shall be securely
5 sealed and endorsed with the name and official title of the clerk, ~~and the words "This~~
6 ~~envelope contains the ballot of an absent, aged, sick, handicapped or disabled elector~~
7 ~~or the ballot of an election official and must be opened at the polls during polling~~
8 ~~hours on election day".~~ The clerk shall keep the ballot in the clerk's office until
9 delivered, as required in sub. (2).

10 **SECTION 64.** 6.92 (intro.) of the statutes is renumbered 6.92 and amended to
11 read:

12 **6.92 Inspector making challenge.** Each inspector shall challenge for
13 cause any person offering to vote whom the inspector knows or suspects is not a
14 qualified elector. If a person is challenged as unqualified by an inspector, one of the
15 inspectors shall administer the following oath or affirmation to the person: "You do
16 solemnly swear (or affirm) that you will fully and truly answer all questions put to
17 you regarding your place of residence and qualifications as an elector of this
18 election"; and shall then ask ~~those of the following~~ questions which are appropriate
19 as determined by the board, by rule, to test the person's qualifications:.

20 **SECTION 65.** 6.92 (1) to (6) of the statutes are repealed.

21 **SECTION 66.** 6.925 (intro.) of the statutes is renumbered 6.925 and amended
22 to read:

23 **6.925 Elector making challenge in person.** Any elector may challenge for
24 cause any person offering to vote whom the elector knows or suspects is not a
25 qualified elector. If a person is challenged as unqualified by an elector, one of the

1 inspectors may administer the oath or affirmation to the challenged elector under s.
2 6.92 and ask the challenged elector the questions under that section which are
3 appropriate to test the elector’s qualifications. In addition, one of the inspectors shall
4 administer the following oath or affirmation to the challenging elector: “You do
5 solemnly swear (or affirm) that you will fully and truly answer all questions put to
6 you regarding the challenged person’s place of residence and qualifications as an
7 elector of this election”; and shall then ask ~~those of the following~~ questions which are
8 appropriate as determined by the board, by rule, to test the qualifications of the
9 challenged elector.

10 **SECTION 67.** 6.925 (1) to (6) of the statutes are repealed.

11 **SECTION 68.** 7.03 (1) (bm) of the statutes is amended to read:

12 7.03 (1) (bm) Whenever a special election is called by a county or by a school
13 district, a technical college district, a sewerage district, a sanitary district or a public
14 inland lake protection and rehabilitation district for a date other than the date of an
15 election specified in s. 5.02, (5), (18), (21) or (22), the county or district shall pay the
16 compensation of all election officials, as determined under sub. (2).

17 **SECTION 69.** 7.08 (2) (c) of the statutes is amended to read:

18 7.08 (2) (c) As soon as possible after the canvass of the spring and September
19 primary votes, but no later than the first Tuesday in March and the 4th Tuesday in
20 September, transmit to the state treasurer a certified list of all eligible candidates
21 for state office who have filed applications under s. 11.50 (2) and whom the board
22 determines to be eligible to receive payments from the Wisconsin clean election
23 campaign system fund. The list shall contain each candidate’s name, the mailing
24 address indicated upon the candidate’s registration form, the office for which the
25 individual is a candidate and the party or principle which he or she represents, if any.

1 **SECTION 70.** 7.08 (2) (cm) of the statutes is amended to read:

2 7.08 (2) (cm) As soon as possible after the canvass of a special primary, or the
3 date that the primary would be held, if required, transmit to the state treasurer a
4 certified list of all eligible candidates for state office who have filed applications
5 under s. 11.50 (2) and whom the board determines to be eligible to receive a grant
6 from the Wisconsin clean election ~~campaign~~ system fund prior to the election. The
7 board shall also transmit a similar list of candidates, if any, who have filed
8 applications under s. 11.50 (2) and whom the board determines to be eligible to
9 receive a grant under s. 11.50 (1) (a) 2. after the special election. The list shall contain
10 each candidate's name, the mailing address indicated upon the candidate's
11 registration form, the office for which the individual is a candidate and the party or
12 principle which he or she represents, if any.

13 **SECTION 71.** 7.08 (5) of the statutes is created to read:

14 7.08 (5) NOTICE OF WRITE-IN CANDIDATES. Whenever a write-in candidate files
15 a timely declaration of candidacy with the board, the board shall immediately notify
16 the county clerk or board of election commissioners of each county where the write-in
17 candidate seeks office of the name of the candidate and the office which the candidate
18 seeks. This subsection does not apply if the write-in candidate seeks an office for
19 which there are no candidates whose names appear on the ballot or if there appears
20 on the ballot the name of a deceased candidate for the office which the write-in
21 candidate seeks.

22 **SECTION 72.** 7.10 (5) of the statutes is created to read:

23 7.10 (5) NOTICE OF WRITE-IN CANDIDATES. Whenever a write-in candidate files
24 a timely declaration of candidacy with the county clerk or the clerk receives notice
25 from the board under s. 7.08 (5) that a write-in candidate seeks office in the county,

1 the clerk shall immediately notify the municipal clerk or board of election
2 commissioners of each municipality in the county where the write-in candidate
3 seeks office of the name of the candidate and the office which the candidate seeks.
4 This subsection does not apply if the write-in candidate seeks an office for which
5 there are no candidates whose names appear on the ballot or if there appears on the
6 ballot the name of a deceased candidate for the office which the write-in candidate
7 seeks.

8 **SECTION 73.** 7.10 (6) of the statutes is created to read:

9 7.10 (6) MUNICIPAL JUDGE; CERTIFIED LIST. If candidates for the office of a
10 municipal judge who is elected under s. 755.01 (4) file nomination papers in the office
11 of the county clerk and any municipality served by the judge prepares its own ballots
12 for voting machines or an electronic voting system, the county clerk shall certify to
13 the municipal clerk of that municipality the names of the candidates for judge as soon
14 as possible after the last day for filing nomination papers and after certification by
15 the county board of canvassers of the results of any primary election.

16 **SECTION 74.** 7.15 (1) (cs) of the statutes is repealed.

17 **SECTION 75.** 7.15 (1) (L) of the statutes is created to read:

18 7.15 (1) (L) Whenever a write-in candidate files a timely declaration of
19 candidacy with the municipal clerk or the clerk receives notice from the county clerk
20 or board of election commissioners under s. 7.10 (5) or a school district clerk under
21 s. 120.06 (8) (dm) that a write-in candidate seeks office in the municipality, notify
22 the inspectors at each polling place in the municipality where the write-in candidate
23 seeks office of the name of the candidate and the office which the candidate seeks no
24 later than 8 p.m. on election day. This paragraph does not apply if the write-in
25 candidate seeks an office for which there are no candidates whose names appear on

1 the ballot or if there appears on the ballot the name of a deceased candidate for the
2 office which the write-in candidate seeks.

3 **SECTION 76.** 7.15 (2) (d) of the statutes is amended to read:

4 7.15 (2) (d) Whenever the governing body of any municipality submits any
5 question to a vote of the electors or whenever a proper recall petition and certificate
6 are filed under s. 9.10, the municipal clerk shall issue a call for the election and
7 prepare and distribute ballots as required in the authorization of submission or as
8 provided in s. 9.10. The date of the referendum shall be established in accordance
9 with s. 8.065, and shall be fixed by the municipal clerk or board of election
10 commissioners unless otherwise provided by law or unless the governing body fixes
11 a date. The ballot for any referendum shall conform to s. 5.64 (2). If there is already
12 an official municipal referendum ballot for the election, the question may appear on
13 the same ballot.

14 **SECTION 77.** 7.21 (2m) of the statutes is created to read:

15 7.21 (2m) The county board of election commissioners may:

16 (a) Bring civil actions to require forfeitures under s. 11.60 for any violation of
17 ch. 11. Forfeiture actions brought by the county board of election commissioners may
18 concern only violations with respect to reports or statements required by law to be
19 filed with it. The county board of election commissioners may compromise and settle
20 any civil action or potential action brought or authorized to be brought by it under
21 ch. 11 which, in the opinion of the county board of election commissioners, constitutes
22 a minor violation, a violation caused by excusable neglect, or which for other good
23 cause shown, should not in the public interest be prosecuted under such chapter.
24 Notwithstanding s. 778.06, an action or proposed action authorized under this
25 paragraph may be settled for such sum as may be agreed between the parties. Any

1 settlement made by the county board of election commissioners shall be in such
2 amount as to deprive the alleged violator of any benefit of his or her wrongdoing and
3 may contain a penal component to serve as a deterrent to future violations. In
4 settling actions or proposed actions, the county board of election commissioners shall
5 treat comparable situations in a comparable manner and shall ensure that any
6 settlement bears a reasonable relationship to the severity of the offense or alleged
7 offense. Forfeiture actions brought by the county board of election commissioners
8 shall be brought in the circuit court for the county served by the board of election
9 commissioners.

10 (b) In the discharge of its authority under par. (a) and upon notice to the party
11 or parties being investigated, subpoena and bring before it any person in the state
12 and require the production of any papers, books or other records relevant to an
13 investigation. A circuit court may by order permit the inspection and copying of the
14 accounts and the depositor's and loan records at any financial institution, as defined
15 in s. 705.01 (3), doing business in the state to obtain evidence of any violation of ch.
16 11 upon showing by the county board of election commissioners of probable cause to
17 believe there is a violation and that such accounts and records may have a
18 substantial relation to the violation. In the discharge of its duties, the county board
19 of election commissioners may cause the deposition of witnesses to be taken in the
20 manner prescribed for taking depositions in civil actions in circuit court.

21 (c) Delegate to its executive director the authority to issue a subpoena or apply
22 for a search warrant under par. (b), subject to such limitations as the county board
23 of election commissioners considers appropriate.

24 **SECTION 78.** 7.30 (2) (a) of the statutes is amended to read:

1 7.30 (2) (a) Only election officials appointed under this section may conduct an
2 election. Except as authorized in s. 7.15 (1) (k), each inspector shall be a qualified
3 elector in the ward for which the polling place is established. Special registration
4 deputies appointed under s. 6.55 (6) and election officials serving more than one ward
5 or when necessary to fill a vacancy under par. (b) need not be a resident of that ward,
6 but shall be a resident of the municipality. Special registration deputies may be
7 appointed to serve more than one polling place. All officials shall be able to read and
8 write the English language, be capable, be of good understanding, and may not be
9 a candidate, ~~other than for party committeeman or committeewoman, for any office~~
10 to be voted for at an election at which they serve. In 1st class cities, they may hold
11 no public office other than notary public. Except as authorized under sub. (4) (c), all
12 inspectors shall be affiliated with one of the 2 recognized political parties which
13 received the largest number of votes for president, or governor in nonpresidential
14 general election years, in the ward or combination of wards served by the polling
15 place at the last election. The party which received the largest number of votes is
16 entitled to one more inspector than the party receiving the next largest number of
17 votes at each polling place. The same election officials may serve the electors of more
18 than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is
19 not divided into wards, the ward requirements in this paragraph apply to the
20 municipality at large.

21 **SECTION 79.** 7.51 (2) (e) of the statutes is amended to read:

22 7.51 (2) (e) If, after any ballots have been laid aside, the number of ballots still
23 exceeds the total number of electors recorded on the registration or poll list, the
24 inspectors shall separate the absentee ballots from the other ballots. If there is an
25 excess number of absentee ballots, the inspectors shall place the absentee ballots in

1 the ballot box and one of the inspectors shall publicly and without examination draw
2 therefrom by chance the number of ballots equal to the excess number of absentee
3 ballots. If there is an excess number of other ballots, the inspectors shall place those
4 ballots in the ballot box and one of the inspectors shall publicly and without
5 examination draw therefrom by chance the number of ballots equal to the excess
6 number of those ballots. All ballots so removed may not be counted but shall be
7 specially marked as having been removed by the inspectors on original canvass due
8 to an excess number of ballots, set aside and preserved. When the number of ballots
9 and total shown on the poll or registration list agree, the inspectors shall return all
10 ballots to be counted to the ballot box and shall turn the ballot box in such manner
11 as to thoroughly mix the ballots. The inspectors shall then open, count and record
12 the number of votes. In recording the votes cast for an office, the inspectors may
13 indicate votes cast for a write-in candidate who does not file a timely declaration of
14 candidacy for the office for which the candidate receives votes as scattering votes,
15 unless there are no candidates whose names appear on the ballot for that office or
16 unless there appears on the ballot the name of a deceased candidate for that office.
17 When the ballots are counted, the inspectors shall separate them into piles for ballots
18 similarly voted. Objections may be made to placement of ballots in the piles at the
19 time the separation is made.

20 **SECTION 80.** 7.51 (2) (g) of the statutes is amended to read:

21 7.51 (2) (g) Immediately after the polls close, where voting machines are used,
22 the inspectors shall open the registering or recording compartments or remove the
23 record of the votes cast and shall canvass, record, announce and return on the tally
24 sheets and certificates furnished. In recording the votes cast for an office, the
25 inspectors may indicate votes cast for a write-in candidate who does not file a timely

1 declaration of candidacy for the office for which the candidate receives votes as
2 scattering votes, unless there are no candidates whose names appear on the ballot
3 for that office or unless there appears on the ballot the name of a deceased candidate.

4 In recording the votes registered on any counter which, before the opening of the
5 polls, did not register 000, the inspectors shall upon the return sheets subtract the
6 number registered before the polls opened from the number registered when the
7 polls closed. The difference between the 2 numbers is the correct vote for the
8 candidate whose name was represented by the counter, except if the number
9 registered on the counter when the polls closed is smaller than the number registered
10 thereon when the polls opened, the number 1,000 shall be added to the number
11 registered when the polls closed, before the subtraction is made.

12 **SECTION 81.** 7.51 (4) (a) of the statutes, as affected by 1997 Wisconsin Act 127,
13 is amended to read:

14 7.51 (4) (a) The tally sheets shall state the total number of votes cast for each
15 office and for each individual receiving votes for that office, ~~whether or not the~~
16 ~~individual's name appears on the ballot, and shall~~ except a write-in candidate who
17 has not filed a timely declaration of candidacy for the office for which the candidate
18 receives a vote, unless there are no candidates whose names appear on the ballot for
19 that office or unless there appears on the ballot the name of a deceased candidate for
20 that office. The tally sheets shall also state the vote for and against each proposition
21 voted on. Upon completion of the tally sheets, the inspectors shall immediately
22 complete inspectors' statements in duplicate. The inspectors shall state the excess
23 by which the number of ballots exceeds the number of electors voting as shown by
24 the poll or registration list, if any, and shall state the number of the last elector as
25 shown by the registration or poll lists. At least 3 inspectors, including the chief

1 inspector and, unless election officials are appointed under s. 7.30 (4) (c) without
2 regard to party affiliation, at least one inspector representing each political party,
3 shall then certify to the correctness of the statements and tally sheets and sign their
4 names. All other election officials assisting with the tally shall also certify to the
5 correctness of the tally sheets. When the tally is complete, the inspectors shall
6 publicly announce the results from the statements.

7 **SECTION 82.** 7.53 (1) of the statutes is amended to read:

8 7.53 (1) MUNICIPALITIES WITH ONE POLLING PLACE. Where the municipality
9 constitutes one ward or combines all wards to utilize a single polling place under s.
10 5.15 (6) (b), the canvass shall be conducted publicly under s. 7.51 and the inspectors
11 shall act as the municipal board of canvassers. Upon completion of the canvass and
12 ascertainment of the results by the inspectors, the clerk shall publicly read the
13 names of the persons voted for and the number of votes for each person for each
14 municipal office, except a write-in candidate who has not filed a timely declaration
15 of candidacy for the office for which the candidate receives a vote, unless there are
16 no candidates whose names appear on the ballot for that office or unless there
17 appears on the ballot the name of a deceased candidate for that office. The clerk shall
18 also publicly read the names of the persons declared by the inspectors to have won
19 nomination or election to each municipal office and the number of votes cast for and
20 against each municipal referendum question.

21 **SECTION 83.** 7.53 (2) (d) of the statutes is amended to read:

22 7.53 (2) (d) The municipal board of canvassers shall publicly canvass the
23 returns of every municipal election. The canvass shall begin within 24 hours after
24 the polls close. At the spring election, the board of canvassers shall publicly declare
25 the results on or before the 2nd Tuesday in April. The board of canvassers shall

1 prepare a statement showing the results of each election for any municipal office and
2 each municipal referendum. After each primary for municipal offices, the board of
3 canvassers shall prepare a statement certifying the names of those persons who have
4 won nomination to office. After each other election for a municipal office and each
5 municipal referendum, the board of canvassers shall prepare a determination
6 showing the names of the persons who are elected to each municipal office and the
7 results of each municipal referendum. The statement shall include the number of
8 votes cast for each person for each municipal office, except a write-in candidate who
9 has not filed a timely declaration of candidacy for the office for which the candidate
10 receives a vote, unless there are no candidates whose names appear on the ballot for
11 that office or unless there appears on the ballot the name of a deceased candidate for
12 that office. The statement shall also include the number of votes cast for and against
13 each question submitted by the municipality. The board of canvassers shall file each
14 statement and determination in the office of the municipal clerk or board of election
15 commissioners.

16 **SECTION 84.** 7.53 (3) (a) of the statutes is amended to read:

17 7.53 (3) (a) In a common, union high or unified school district, the school district
18 clerk shall appoint 2 qualified electors of the school district prior to the date of the
19 election being canvassed who shall, with the school district clerk, constitute the
20 school district board of canvassers. If the school district clerk is a candidate at the
21 election being canvassed, the other 2 members of the board of canvassers shall
22 designate a 3rd member to serve in lieu of the clerk for that election. The canvass
23 shall begin as soon as possible after receipt of the returns, and shall continue,
24 without adjournment, until completed. The board of canvassers may return
25 defective returns to the municipal board of canvassers in the manner provided in s.

1 7.60 (3). The board of canvassers shall prepare a written statement showing the
2 numbers of votes cast for each person for each office and, except a write-in candidate
3 who has not filed a timely declaration of candidacy for the office for which the
4 candidate receives a vote, unless there are no candidates whose names appear on the
5 ballot for that office or unless there appears on the ballot for that office the name of
6 a deceased candidate. The statement shall also show the numbers of votes cast for
7 and against each question and, The board of canvassers shall also prepare a
8 determination showing the names of the persons who are elected to the school board
9 and the results of any school district referendum. Following each primary election,
10 the board of canvassers shall prepare a statement certifying the names of the persons
11 who have won nomination to the school board. Each statement and determination
12 shall be attested by each of the canvassers. The board of canvassers shall file each
13 statement and determination in the school district office. The school district clerk
14 shall certify nominations after each primary and issue certificates of election to
15 persons who are elected to the school board after each election in the manner
16 provided in sub. (4).

17 **SECTION 85.** 7.60 (2) of the statutes is amended to read:

18 7.60 (2) COUNTY BOARD OF CANVASSERS. The county clerk and 2 qualified electors
19 of the county appointed by the clerk constitute the county board of canvassers. The
20 members of the board of canvassers shall serve for 2-year terms commencing on
21 January 1 of each odd-numbered year, except that any member who is appointed to
22 fill a permanent vacancy shall serve for the unexpired term of the original appointee.
23 One member of the board of canvassers shall belong to a political party other than
24 the clerk's. If the county clerk's office is vacant, ~~or~~ if the clerk cannot perform his or
25 her duties or if the clerk is a candidate at an election being canvassed, the county

1 clerk shall designate a deputy clerk to perform the clerk's duties. If the county clerk
2 and designated deputy clerk are both unable to perform their duties, the county
3 executive or, if there is no county executive, the chairperson of the county board of
4 supervisors shall designate another qualified elector of the county to perform the
5 clerk's duties. If a member other than the clerk cannot perform his or her duties, the
6 clerk shall appoint another member to serve. No person may serve on the county
7 board of canvassers if the person is a candidate for an office to be canvassed by that
8 board. If lists of candidates for the county board of canvassers are submitted to the
9 county clerk by political party county committees, the lists shall consist of at least
10 3 names and the clerk shall choose the board members from the lists. Where there
11 is a county board of election commissioners, it shall serve as the board of canvassers.

12 **SECTION 86.** 7.60 (4) (a) of the statutes is amended to read:

13 7.60 (4) (a) The board of canvassers shall make separate duplicate statements
14 showing the numbers of votes cast for the offices of president and vice president; state
15 officials; U.S. senators and representatives in congress; state legislators; justice;
16 court of appeals judge; circuit judges; district attorneys; ~~municipal judges, if they are~~
17 ~~elected under s. 755.01 (4);~~ and metropolitan sewerage commissioners, if the
18 commissioners are elected under s. 66.23 (11) (am). If a municipal judge elected
19 under s. 755.01 (4) serves a municipality that is located partially within the county
20 and candidates for that judgeship file nomination papers in another county, the
21 board of canvassers shall prepare a duplicate statement showing the numbers of
22 votes cast for that judgeship in that county for transmittal to the other county. For
23 partisan candidates, the statements shall include the political party or principle
24 designation, if any, next to the name of each candidate. The board of canvassers shall
25 also prepare a statement showing the results of any county, technical college district

1 or statewide referendum. Each statement shall ~~state~~ show the total number of votes
2 cast in the county for each office; the names of all persons for whom the votes were
3 cast, as returned; and the number of votes cast for each person; and, except a write-in
4 candidate who has not filed a timely declaration of candidacy for the office for which
5 the candidate receives a vote, unless there are no candidates whose names appear
6 on the ballot for that office or unless there appears on the ballot for that office the
7 name of a deceased candidate. The statement shall also show the number of votes
8 cast for and against any question submitted at a referendum. The board of
9 canvassers shall use one copy of the each duplicate statement to report to the
10 elections board ~~or~~ technical college district board or board of canvassers of any other
11 county and shall file the other statement in the office of the county clerk or board of
12 election commissioners.

13 **SECTION 87.** 7.60 (4) (b) of the statutes is amended to read:

14 7.60 (4) (b) The board of canvassers shall then prepare a written
15 determination, in duplicate where necessary, giving the names of the persons elected
16 to any county office and to any municipal judgeship if the judge is elected under s.
17 755.01 (4) and candidates for that judgeship file nomination papers in that county.
18 The board of canvassers shall likewise prepare a written determination showing the
19 results of any county referendum. Following any primary election, the board of
20 canvassers shall prepare a statement certifying the names of all persons who have
21 won nomination to any county office or any municipal judgeship, if the judge is
22 elected under s. 755.01 (4) and candidates for that judgeship file nomination papers
23 in that county. The board of canvassers shall file all statements and determinations
24 in the office of the county clerk or board of election commissioners.

25 **SECTION 88.** 7.60 (4) (c) of the statutes is amended to read:

1 7.60 (4) (c) In preparing the statements and determinations, the board of
2 canvassers shall carefully review the tally sheets and inspectors' statement. The
3 board of canvassers may omit the ~~names of individuals whose names do not appear~~
4 ~~on the ballot and who receive a comparatively small number of votes.~~ The board of
5 canvassers shall name of any write-in candidate who has not filed a timely
6 declaration of candidacy for the office for which the candidate receives votes, and
7 designate votes received by such individuals the candidate as scattering votes,
8 unless there are no candidates whose names appear on the ballot for that office or
9 unless there appears on the ballot for that office the name of a deceased candidate.
10 The board of canvassers shall append to each statement and determination a
11 tabulation of the votes cast at each election district, ward or combination of wards
12 authorized under s. 5.15 (6) (b) in the county for each office and each individual,
13 whether the votes are canvassed or not, as well as the total canvassed votes cast for
14 each individual and each office, except where scattering votes are designated. If any
15 votes are rejected, the board of canvassers shall specify the reasons therefor.

16 **SECTION 89.** 7.60 (5) of the statutes is amended to read:

17 7.60 (5) REPORTING. Immediately following the canvass the county clerk shall
18 deliver or send to the elections board, by 1st class mail, a certified copy of each
19 statement of the county board of canvassers for president and vice president; state
20 officials; senators and representatives in congress; state legislators; justice; court of
21 appeals judge; circuit judge; district attorney; ~~municipal judge, if elected under s.~~
22 ~~755.01(4);~~ and metropolitan sewerage commissioners, if the commissioners are
23 elected under s. 66.23 (11) (am). The statement shall record the returns for each
24 office or referendum by ward, unless combined returns are authorized under s. 5.15
25 (6) (b) in which case the statement shall record the returns for each group of

1 combined wards. Following primaries the county clerk shall enclose on blanks
2 prescribed by the elections board the names, party or principle designation, if any,
3 and number of votes received by each candidate recorded in the same manner. The
4 county clerk shall deliver or transmit the certified statement to the elections board
5 no later than 7 days after each primary and no later than 10 days after any other
6 election. The board of canvassers shall deliver or transmit a certified copy of each
7 statement for any technical college district referendum to the secretary of the
8 technical college district board. If the board of canvassers becomes aware of a
9 material mistake in the canvass of an election for state or national office or a
10 statewide or technical college district referendum prior to the close of business on the
11 day the elections board receives returns from the last county board of canvassers
12 with respect to that canvass, the board of canvassers may petition the elections board
13 to reopen and correct the canvass. The elections board shall direct the canvass to be
14 reopened and corrected if it determines that the public interest so requires. If the
15 elections board directs the canvass to be reopened, the board of canvassers shall
16 reconvene and transmit a certified corrected copy of the canvass statement to the
17 elections board or secretary of the technical college district board.

18 **SECTION 90.** 7.60 (6) of the statutes is amended to read:

19 7.60 (6) CERTIFICATE OF ELECTION. Immediately after expiration of the time
20 allowed to file a petition for a recount the county clerk shall issue a certificate of
21 election to each person who is elected to any county office ~~and to each person who is~~
22 ~~elected to the office of party committeeman or committeewoman.~~ The certificate
23 notice shall state the amount of the required official bond, if any. When a petition
24 for a recount is filed, the county clerk shall not issue the certificate of election for the

1 office in question until the recount has been completed and the time allowed for filing
2 an appeal has passed, or if appealed until the appeal is decided.

3 **SECTION 91.** 7.70 (3) (d) of the statutes, as affected by 1997 Wisconsin Act 27,
4 is amended to read:

5 7.70 (3) (d) When the certified statements and returns are received, the
6 chairperson of the board shall proceed to examine and make a statement of the total
7 number of votes cast at any election for the offices involved in the election for
8 president and vice president; a statement for each of the offices of governor,
9 lieutenant governor, if a primary, and a joint statement for the offices of governor and
10 lieutenant governor, if a general election; a statement for each of the offices of
11 secretary of state, state treasurer, attorney general, and state superintendent; for
12 U.S. senator; representative in congress for each congressional district; the state
13 legislature; justice; court of appeals judge; circuit judge; district attorney; ~~municipal~~
14 ~~judge, if he or she is elected under s. 755.01 (4);~~ metropolitan sewerage commission,
15 if the commissioners are elected under s. 66.23 (11) (am); and for any referenda
16 questions submitted by the legislature.

17 **SECTION 92.** 7.70 (3) (f) of the statutes is amended to read:

18 7.70 (3) (f) The statements shall show the persons' names receiving votes, and
19 any referenda questions; the whole number of votes given to each; and an individual
20 listing by the districts or counties in which they were given. ~~The names of persons~~
21 ~~not regularly nominated who received only a comparatively small number of votes~~
22 name of any write-in candidate who has not filed a timely declaration of candidacy
23 for the office for which the candidate receives votes may be omitted and ~~their the~~
24 votes cast for that candidate may be designated as scattering votes.

25 **SECTION 93.** 8.05 (1) (j) of the statutes is amended to read:

1 8.05 (1) (j) The municipal clerk shall notify in writing each candidate whose
2 name is certified as a nominee under par. (h) of his or her nomination. If a municipal
3 judge is elected under s. 755.01 (4), the county clerk of the county having the largest
4 portion of the population in the jurisdiction served by the judge shall make the
5 notification. Upon receipt of the notice, each candidate shall file a declaration of
6 candidacy in the manner prescribed by s. 8.21 with the municipal clerk making the
7 notification no later than 5 p.m. on the 5th day after the notification is mailed or
8 personally delivered to the candidate by the municipal clerk, except as authorized
9 in this paragraph. If an incumbent whose name is certified as a nominee fails to file
10 a declaration of candidacy within the time prescribed by this paragraph, each
11 certified candidate for the office held by the incumbent, other than the incumbent,
12 may file a declaration of candidacy no later than 72 hours after the latest time
13 prescribed in this paragraph. If the candidate has not filed a registration statement
14 under s. 11.05 at the time of the notification, the candidate shall file the statement
15 with the declaration. A candidate for municipal judge shall also file a statement of
16 economic interests with the ethics board under s. 19.43 (4) no later than 4:30 p.m.
17 on the 5th day after notification of nomination is mailed or personally delivered to
18 the candidate by the municipal clerk, or no later than 4:30 p.m. on the next business
19 day after the last day for filing a declaration of candidacy whenever that candidate
20 is granted an extension of time for filing a declaration of candidacy under this
21 paragraph. Upon receipt of the declaration of candidacy and registration statement
22 of each qualified candidate, and upon filing of a statement of economic interests by
23 each candidate for municipal judge, the municipal clerk, or the county clerk if the
24 judge is elected under s. 755.01 (4), shall place the name of the candidate on the
25 ballot. No later than the end of the 3rd day following qualification by all candidates,

1 the municipal clerk, or the county clerk if the judge is elected under s. 755.01 (4),
2 shall draw lots to determine the arrangement of candidates' names on the spring
3 election ballot.

4 **SECTION 94.** 8.05 (3) (d) and (e) of the statutes are amended to read:

5 8.05 (3) (d) The question of adoption of the nonpartisan primary under this
6 subsection may be submitted to the electors at any ~~regular~~ election authorized under
7 s. 8.065 held in the town ~~or at a special election called for the purpose.~~ When a
8 petition requesting adoption of the nonpartisan primary conforming to the
9 requirements of s. 8.40 signed by at least 20 electors of the town is filed with the town
10 clerk ~~so requesting as provided in s. 8.37,~~ the question shall be submitted to a vote.

11 (e) Petitions requesting a vote on the question at a regular town election shall
12 be filed in accordance with s. 8.37 no later than 5 p.m. the last Tuesday in February.
13 When the petition is filed, the clerk shall check its sufficiency. ~~Whether at a regular~~
14 ~~or special election, the~~ The clerk shall give separate notice by one publication in a
15 newspaper at least 5 days before the election.

16 **SECTION 95.** 8.05 (5) of the statutes is amended to read:

17 8.05 (5) WHEN PRIMARY IS HELD. Towns and villages adopting the nonpartisan
18 primary to nominate candidates, under subs. (3) and (4), shall hold a primary only
19 when the number of candidates for an elective office in the municipality exceeds
20 twice the number to be elected to the office. A primary for the office of joint municipal
21 judge under s. 755.01 (4) shall be held whenever there are more than 2 candidates
22 for that office. Those offices for which a primary has been held shall have only the
23 names of candidates nominated at the primary appear on the official spring election
24 ballot. When the number of candidates for an office does not exceed twice the number

1 to be elected, their names shall appear on the official ballot for the election without
2 a primary.

3 **SECTION 96.** 8.06 of the statutes is amended to read:

4 **8.06 Special elections may be called.** Towns, cities, villages and school
5 districts may call special elections for any purpose whenever such action is
6 authorized or required by law. If an election is called for a special referendum, the
7 election shall be called and noticed ~~under~~ as provided in s. 8.55.

8 **SECTION 97.** 8.065 of the statutes is created to read:

9 **8.065 Scheduling of referenda.** (1) Unless otherwise required by law or
10 unless authorized under sub. (2), a referendum held by any local governmental unit
11 that is authorized or required by law to hold a referendum may only be held on the
12 date of the spring primary, spring election, September primary or general election,
13 or on the 2nd Tuesday in September of an odd-numbered year.

14 (2) If a local governmental unit wishes to hold a special referendum on a date
15 other than the date of an election specified in sub. (1), the local governmental unit
16 may petition the referendum appeal board for a determination that an emergency
17 exists with respect to a particular question. The referendum appeal board shall
18 make a determination within 10 days after receipt of a petition under this subsection.
19 If the referendum appeal board finds, with the concurrence of at least 4 members,
20 that an emergency exists which requires a special referendum to be held by a local
21 governmental unit on a date other than the date of an election specified in sub. (1),
22 the board may permit a referendum relating to the question specified in the petition
23 to be held on a date determined by the local governmental unit.

24 **SECTION 98.** 8.10 (3) (intro.) of the statutes is amended to read:

1 8.10 (3) (intro.) The ~~affidavit~~ certification of a qualified elector under s. 8.15
2 (4) (a) shall be appended to each nomination paper. The number of required
3 signatures on nomination papers filed under this section is:

4 **SECTION 99.** 8.10 (6) (a) of the statutes is amended to read:

5 8.10 (6) (a) For state offices; ~~municipal judges, if they are elected under s.~~
6 ~~755.01 (4);~~ or seats on a metropolitan sewerage commission, if the commissioners are
7 elected under s. 66.23 (11) (am), in the office of the board.

8 **SECTION 100.** 8.10 (6) (bm) of the statutes is created to read:

9 8.10 (6) (bm) For municipal judge, if the judge is elected under s. 755.01 (4), in
10 the office of the county clerk or board of election commissioners of the county having
11 the largest portion of the population in the jurisdiction served by the judge.

12 **SECTION 101.** 8.11 (1) (b) and (d), (2), (2m) and (5) of the statutes are amended
13 to read:

14 8.11 (1) (b) Any city may provide by charter ordinance, under s. 66.01, that
15 whenever 3 or more candidates, other than write-in candidates, file nomination
16 papers for a city office, a primary to nominate candidates for the office shall be held.

17 (d) When the number of candidates, other than write-in candidates, for any
18 city office does not exceed twice the number to be elected to the office, no primary may
19 be held for the office and the candidates' names shall appear on the ballot for the
20 ensuing election.

21 (2) MILWAUKEE COUNTY. A primary shall be held in counties having a population
22 of 500,000 or more whenever there are more than twice the number of candidates,
23 other than write-in candidates, to be elected to any judicial office within the county
24 or to the county board of supervisors from any one district.

1 **(2m)** FIRST CLASS CITY SCHOOL BOARD. A primary shall be held in 1st class cities
2 whenever there are more than 2 candidates, other than write-in candidates, for
3 member of the board of school directors at-large or from any election district in any
4 year.

5 **(5)** COUNTY SUPERVISORS. A primary shall be held in an election for county board
6 supervisor whenever 3 or more candidates, other than write-in candidates, file
7 nomination papers.

8 **SECTION 102.** 8.12 (2) of the statutes is amended to read:

9 8.12 **(2)** BALLOTS. The form of the official ballots shall be prescribed by the
10 board under s. 5.60 (8). The ballot shall provide to an elector the opportunity to vote
11 for an uninstructed delegation to represent this state at the presidential nominating
12 convention of his or her party, or to write in the name of a candidate for the
13 presidential nomination of his or her party.

14 **SECTION 103.** 8.15 (4) (a) of the statutes is amended to read:

15 8.15 **(4)** (a) The affidavit certification of a qualified elector stating his or her
16 residence with street and number, if any, shall appear at the bottom of each
17 nomination paper, stating he or she personally circulated the nomination paper and
18 personally obtained each of the signatures; he or she knows they are electors of the
19 ward, aldermanic district, municipality or county, as the nomination papers require;
20 he or she knows they signed the paper with full knowledge of its content; he or she
21 knows their respective residences given; he or she knows each signer signed on the
22 date stated opposite his or her name; and, that he or she, the affiant circulator,
23 resides within the district which the candidate named therein will represent, if
24 elected; that he or she intends to support the candidate; and that he or she is aware
25 that falsifying the affidavit certification is punishable under ss. s. 12.13 (3) (a) and

1 ~~946.32 (1) (a), Wis. stats. The affidavit certification may be made by the candidate~~
2 ~~or any qualified elector. The nomination papers are valid with or without the seal~~
3 ~~of the officer who administers the oath.~~

4 **SECTION 104.** 8.17 (1) (a) of the statutes is amended to read:

5 8.17 (1) (a) Political parties qualifying for a separate ballot under s. 5.62 (1) (b)
6 or (2) shall elect their party committeemen and committeewomen at the September
7 ~~primary as provided under sub. (5) (b).~~ The function of committeemen and
8 committeewomen is to represent their neighborhoods in the structure of a political
9 party. Committeemen and committeewomen shall act as liaison representatives
10 between their parties and the residents of the election districts in which they serve.
11 Activities of committeemen and committeewomen shall include, but not be limited
12 to, voter identification; assistance in voter registration drives; increasing voter
13 participation in political parties; polling and other methods of passing information
14 from residents to political parties and elected public officials; and dissemination of
15 information from public officials to residents. For assistance in those and other
16 activities of interest to a political party, each committeeman and committeewoman
17 may appoint a captain to engage in these activities in each ward, if the election
18 district served by the committeeman or committeewoman includes more than one
19 ward. In an election district which includes more than one ward, the committeeman
20 or committeewoman shall coordinate the activities of the ward captains in promoting
21 the interests of his or her party.

22 **SECTION 105.** 8.17 (2), (3) and (4) (a) and (b) of the statutes are repealed.

23 **SECTION 106.** 8.17 (4) (c) of the statutes is renumbered 8.17 (4) and amended
24 to read:

1 8.17 (4) The term of office of each ~~elected or appointed~~ committeeman or
2 committeewoman shall end on the date of the meeting held under sub. (5) (b)
3 following each September primary.

4 **SECTION 107.** 8.17 (5) (b) of the statutes is amended to read:

5 8.17 (5) (b) A combined meeting of the county committee and members in good
6 standing of the party in the county shall be held no sooner than 15 days after the
7 September primary and no later than April 1 of the following year. At this meeting,
8 the party committeemen or committeewomen and the county committee offices of
9 chairperson, vice chairperson, secretary and treasurer shall be filled by election by
10 the committeemen, committeewomen and party members present and voting, each
11 of whom is entitled to one vote. At this meeting, the county committee shall elect the
12 members of the congressional district committee as provided in sub. (6) (b), (c) and
13 (d). The secretary of the county committee shall give at least 7 days' written notice
14 of the meeting to party and committee members. Individuals elected as county
15 committee officers or as congressional district committee members may be, but are
16 not required to be, committeemen or committeewomen. They are required to be party
17 members in good standing. ~~Their~~ The terms of committeemen and
18 committeewomen, county committee officers and congressional district committee
19 members begin during the meeting immediately upon completion and verification of
20 the voting for each office.

21 **SECTION 108.** 8.17 (5) (bm) of the statutes is created to read:

22 8.17 (5) (bm) A county committee may require that candidates for party
23 committeemen and committeewomen file nomination papers with the county
24 committee prior to the combined meeting under par. (b). The form, content and

1 circulation and filing deadlines of the nomination papers shall be established by the
2 county committee.

3 **SECTION 109.** 8.20 (3) of the statutes is amended to read:

4 8.20 (3) The affidavit certification of an elector under s. 8.15 (4) (a) shall be
5 appended to each nomination paper.

6 **SECTION 110.** 8.20 (9) of the statutes is amended to read:

7 8.20 (9) Persons nominated by nomination papers without a recognized
8 political party designation shall be placed on the official ballot at the general election
9 and at any partisan election to the right or below the recognized political party
10 candidates in their own column or row designated "Independent". At the September
11 primary, persons nominated ~~for state office~~ by nomination papers without a
12 recognized political party designation shall be placed on a separate ballot or row on
13 the voting machine designated "Independent". If the candidate's name already
14 appears under a recognized political party it may not be listed on the independent
15 ballot, column or row.

16 **SECTION 111.** 8.21 of the statutes is amended to read:

17 **8.21 Declaration of candidacy.** Each candidate, except a write-in candidate
18 or a candidate for presidential elector under s. 8.20 (2) (d), shall file a declaration of
19 candidacy, no later than the latest time provided for filing nomination papers under
20 s. 8.10 (2) (a), 8.15 (1), ~~8.17 (2)~~, 8.20 (8) (a) or 8.50 (3) (a), or the time provided under
21 s. 8.16 (2) or 8.35 (2) (c). A write-in candidate may file a declaration of candidacy no
22 later than 5 p.m. before the day of the primary or other election at which the
23 candidate seeks office. A candidate shall file the declaration with the officer or
24 agency with which nomination papers are filed for the office which the candidate
25 seeks, or if nomination papers are not required, with the clerk or board of election

1 commissioners of the jurisdiction in which the candidate seeks office. The
2 declaration shall be sworn to before any officer authorized to administer oaths. The
3 declaration shall contain the name of the candidate in the form specified under s.
4 8.10 (2) (b) for candidates for nonpartisan office or s. 8.15 (5) (a) or 8.20 (2) (a) for
5 candidates for partisan office, and shall state that the signer is a candidate for a
6 named office, that he or she meets or will at the time he or she assumes office meet
7 applicable age, citizenship, residency or voting qualification requirements, if any,
8 prescribed by the constitutions and laws of the United States and of this state, and
9 that he or she will otherwise qualify for office if nominated and elected. The Except
10 in the case of a write-in candidate, the declaration shall include the candidate's
11 name in the form in which it will appear on the ballot. Each candidate for state and
12 local office shall include in the declaration a statement that he or she has not been
13 convicted of any infamous crime for which he or she has not been pardoned and a list
14 of all felony convictions for which he or she has not been pardoned. In addition, each
15 candidate for state or local office shall include in the declaration a statement that
16 discloses his or her municipality of residence for voting purposes, and the street and
17 number, if any, on which the candidate resides. The declaration is valid with or
18 without the seal of the officer who administers the oath. A candidate for state or local
19 office shall file an amended declaration under oath with the same officer or agency
20 if any information contained in the declaration changes at any time after the original
21 declaration is filed and before the candidate assumes office or is defeated for election
22 or nomination.

23 **SECTION 112.** 8.35 (2) (a) of the statutes is amended to read:

24 8.35 (2) (a) If a vacancy occurs after nomination due to the death of a candidate
25 of a recognized political party for a partisan office, ~~other than party committeeman~~

1 ~~or committeewoman,~~ the vacancy may be filled by the chairperson of the committee
2 of the proper political party under s. 7.38 (3), or the personal campaign committee,
3 if any, in the case of independent candidates. Similar vacancies in nominations of
4 candidates for nonpartisan local offices may be filled by the candidate's personal
5 campaign committee or, if the candidate had none, by the body which governs the
6 local governmental unit in which the deceased person was a candidate for office. The
7 chairperson, chief officer of the committee, or clerk of the body making an
8 appointment shall file a certificate of appointment with the official or agency with
9 whom declarations of candidacy for the office are filed. For purposes of this
10 paragraph, the official or agency need not recognize members of a personal campaign
11 committee whose names were not filed under s. 11.05 prior to the death of the
12 candidate.

13 **SECTION 113.** 8.35 (4) (b) to (d) of the statutes are amended to read:

14 8.35 (4) (b) Notwithstanding par. (a), if the former candidate received a grant
15 from the Wisconsin clean election system fund, any unspent and unencumbered
16 moneys ~~received by a~~ in the campaign depository account of that candidate ~~from the~~
17 ~~Wisconsin election campaign fund,~~ up to the amount of the grant received, shall be
18 immediately transferred to any candidate who is appointed to replace such
19 candidate, upon filing of a proper and approval of an application ~~therefor~~ for a grant
20 by the replacement candidate under s. 11.50 (2). If there is no candidate appointed
21 or if no proper application is filed and approved within 7 days of the date on which
22 the vacancy occurs, such moneys shall revert to the state as provided in s. 11.50 (8).

23 (c) The transfer under par. (b) shall be made and reported to the appropriate
24 filing officer ~~in a special report~~ submitted by the former candidate's campaign
25 treasurer. If the former candidate is deceased and was serving as his or her own

1 campaign treasurer, the former candidate's petitioner or personal representative
2 shall ~~file the report and~~ make the transfer required by par. (b), ~~if any~~ and file the
3 report. The report shall be made at the appropriate interval under s. 11.20 (2) or (4)
4 and shall include a complete statement of all contributions, disbursements and
5 incurred obligations pursuant to s. 11.06 (1) covering the period from the day after
6 the last date covered on the former candidate's most recent report to the date of
7 disposition.

8 (d) The newly appointed candidate shall file his or her report at the next
9 appropriate interval under s. 11.20 (2) or (4) after his or her appointment. The
10 appointed candidate shall include any transferred funds moneys in his or her first
11 report.

12 **SECTION 114.** 8.37 of the statutes is created to read:

13 **8.37 Filing of referenda petitions or questions.** Unless otherwise required
14 by law, all proposed constitutional amendments and any other measure or question
15 that is to be submitted to a vote of the people, or any petitions requesting that a
16 measure or question be submitted to a vote of the people, if applicable, shall be filed
17 with the official or agency responsible for preparing the ballots for the election no
18 later than 42 days prior to the election at which the amendment, measure or question
19 will appear on the ballot.

20 **SECTION 115.** 8.40 (2) of the statutes is amended to read:

21 8.40 (2) The affidavit certification of a qualified elector stating his or her
22 residence with street and number, if any, shall appear at the bottom of each separate
23 sheet of each petition specified in sub. (1), stating that ~~the affiant~~ he or she personally
24 circulated the petition and personally obtained each of the signatures; that the
25 ~~affiant~~ circulator knows that they are electors of the jurisdiction or district in which

1 the petition is circulated; that the ~~affiant~~ circulator knows that they signed the paper
2 with full knowledge of its content; that the ~~affiant~~ circulator knows their respective
3 residences given; that the ~~affiant~~ circulator knows that each signer signed on the
4 date stated opposite his or her name; that the ~~affiant~~ circulator resides within the
5 jurisdiction or district in which the petition is circulated; and that the ~~affiant~~
6 circulator is aware that falsifying the ~~affidavit~~ certification is punishable under ss.
7 s. 12.13 (3) (a) and 946.32 (1) (a). ~~The petition is valid with or without the seal of the~~
8 ~~officer who administers the oath.~~

9 **SECTION 116.** 8.50 (1) (a) of the statutes is amended to read:

10 8.50 (1) (a) When there is to be a special election, the special election for county
11 clerk shall be ordered by the sheriff; the special election for any other county office
12 shall be ordered by the county clerk except as provided in s. 17.21 (5); the special
13 election for school board member in a school district organized under ch. 119 shall
14 be ordered by the school board; the special election for municipal judge shall be
15 ordered by the mayor, president or chairperson of the municipality, except in 1st class
16 cities, or if the judge is elected under s. 755.01 (4) jointly by the mayors, presidents
17 or chairpersons of all municipalities served by the judge; and all other special
18 elections shall be ordered by the governor. When the governor or attorney general
19 issues the order, it shall be filed and recorded in the office of the board. When the
20 county clerk or sheriff issues the order, it shall be filed and recorded in the office of
21 the county clerk. When the county executive issues the order, it shall be filed in the
22 office of the county board of election commissioners. When the school board of a
23 school district organized under ch. 119 issues the order, it shall be filed and recorded
24 in the office of the city board of election commissioners. When the mayor, president
25 or chairperson issues the order, it shall be filed in the office of the municipal clerk or

1 city board of election commissioners. If a municipal judge is elected under s. 755.01
2 (4), the order shall be filed in the office of the county clerk or board of election
3 commissioners of the county having the largest portion of the population of the
4 jurisdiction served by the judge.

5 **SECTION 117.** 8.50 (1) (b) of the statutes is amended to read:

6 8.50 (1) (b) Notice of any special election shall be given upon the filing of the
7 order under par. (a) by publication in a newspaper under ch. 985. If the special
8 election concerns a national or state office, the board shall give notice as soon as
9 possible to the county clerks. Upon receipt of notice from the board, or when the
10 special election is for a county office or a municipal judgeship under s. 755.01 (4), the
11 county clerk shall give notice as soon as possible to all the municipal clerks of all
12 municipalities in which electors are eligible to vote in the election and publish one
13 type A notice for all offices to be voted upon within the county as provided in s. 10.06
14 (2) (n) and (3) (f).

15 **SECTION 118.** 8.50 (2) (a) of the statutes is amended to read:

16 8.50 (2) (a) The date for the special election shall be not less than ~~62~~ 92 nor more
17 than ~~77~~ 107 days from the date of the order except when the special election is held
18 on the day of the general election or spring election. If a special election is held
19 concurrently with the spring or general election, the special election may be ordered
20 not earlier than 92 days prior to the spring primary or September primary,
21 respectively, and not later than 49 days prior to that primary.

22 **SECTION 119.** 8.50 (4) (fm) of the statutes is amended to read:

23 8.50 (4) (fm) A permanent vacancy in the office of municipal judge may be filled
24 by temporary appointment of the municipal governing body, or, if the judge is elected
25 under s. 755.01 (4), jointly by the governing bodies of all municipalities served by the

1 judge. The office shall then be permanently filled by special election, held
2 concurrently with the next spring election following the occurrence of the vacancy,
3 except that a vacancy occurring during the period after December 1 and on or before
4 the date of the spring election shall be filled at the 2nd succeeding spring election,
5 and no such election may be held after the expiration of the term of office nor at the
6 time of holding the regular election for the office.

7 **SECTION 120.** 9.01 (1) (ag) 1. and 2. of the statutes are amended to read:

8 9.01 (1) (ag) 1. For the purpose of this subsection, the elections board shall
9 promulgate a rule defining the “actual cost” of conducting a recount. Each petition
10 for a recount shall be accompanied by the fee or charge prescribed in this paragraph.
11 If the difference between the votes cast for the leading candidate and those cast for
12 the petitioner or the difference between the affirmative and negative votes cast upon
13 any referendum question is less than ~~10 if 1,000 or less votes are cast or less than .5%~~
14 ~~of the total votes cast for the office or on the question if more than 1,000 votes are cast,~~
15 the petitioner is not required to pay a fee.

16 2. If the difference between the votes cast for the leading candidate and those
17 cast for the petitioner or the difference between the affirmative and negative votes
18 cast upon any referendum question is at least ~~10 if 1,000 or less votes are cast or at~~
19 ~~least .5% if more than 1,000 votes are cast~~ but less than 3%, the petitioner shall pay
20 a fee of \$5 for each ward for which the petition requests a ballot recount, or \$5 for each
21 municipality where no wards exist.

22 **SECTION 121.** 9.01 (1) (ag) 2g. and 2r. of the statutes are created to read:

23 9.01 (1) (ag) 2g. If the difference between the votes cast for the leading
24 candidate and those cast for the petitioner or the difference between the affirmative

1 and negative votes cast upon any referendum question is at least 3% but less than
2 5%, the petitioner shall pay 50% of the actual cost of conducting the recount.

3 2r. If the difference between the votes cast for the leading candidate and those
4 cast for the petitioner or the difference between the affirmative and negative votes
5 cast upon any referendum question is 5% or more, the petitioner shall pay the actual
6 cost of conducting the recount.

7 **SECTION 122.** 9.01 (2) of the statutes is amended to read:

8 9.01 (2) NOTICE TO CANDIDATES. When the recount concerns an election for an
9 office, the clerk or body with whom the petition is filed shall promptly prepare a copy
10 of the petition for delivery to each opposing candidate for the same office whose name
11 appears on the ballot. In a recount proceeding for a partisan primary, the clerk or
12 body shall prepare a copy of the petition for delivery to each opposing candidate for
13 the same party nomination for the same office, to each opposing candidate for the
14 party nomination of each other party for the same office and to each independent
15 candidate qualifying to have his or her name placed on the ballot for the succeeding
16 election. The A candidate or agent designated by a candidate may personally accept
17 delivery of a copy of the petition. Upon such delivery, the clerk or body shall require
18 the candidate or agent to sign a receipt therefor. If a candidate or agent does not
19 personally accept delivery, the clerk or body shall then promptly deliver the copies
20 of the petition to the sheriff, who shall promptly deliver the copies of the petition to
21 each candidate at the address given on the candidate's nomination papers, without
22 fee, in the manner provided for service of a summons in civil actions.

23 **SECTION 123.** 9.01 (5) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
24 is amended to read:

1 9.01 (5) (a) The board of canvassers or the chairperson of the board shall keep
2 complete minutes of all proceedings before the board of canvassers or chairperson.
3 Upon completion of the proceedings, the board of canvassers shall deliver one copy
4 of its minutes to the elections board. The minutes shall include a record of objections
5 and offers of evidence. If the board of canvassers or chairperson receives exhibits
6 from any party, the board of canvassers or chairperson shall number and preserve
7 the exhibits. The board of canvassers or chairperson shall make specific findings of
8 fact with respect to any irregularity raised in the petition or discovered during the
9 recount. Any member of the board of canvassers or the chairperson may administer
10 oaths, certify official acts and issue subpoenas for purposes of this section. Witness
11 fees shall be paid by the county. In the case of proceedings before the chairperson of
12 the board, witness fees shall be paid by the board.

13 **SECTION 124.** 9.01 (7) (a) of the statutes is amended to read:

14 9.01 (7) (a) The court with whom an appeal is filed shall forthwith issue an
15 order directing each affected county or municipal clerk or board to transmit
16 immediately all ballots, papers and records affecting the appeal to the clerk of court
17 or to impound and secure such ballots, papers and records, or both. The order shall
18 fix a place and a time for the a hearing within 5 days of the order either in open court,
19 at chambers or before a referee and a time for the hearing in accordance with par.
20 (b). The order shall be served upon each affected county or municipal clerk or board
21 and all other candidates and persons who filed a written notice of appearance before
22 any board of canvassers involved in the recount. A reference may be ordered upon
23 any question. At the assigned time and place, the matter shall be summarily heard
24 and determined and costs taxed as in other civil actions.

25 **SECTION 125.** 9.20 (4) of the statutes is amended to read:

1 9.20 (4) The common council or village board shall, without alteration, either
2 pass the ordinance or resolution within 30 days following the date of the clerk's final
3 certificate, or submit it to the electors at the next ~~spring or general~~ election
4 authorized under s. 8.065, if the election is more than 6 weeks after the date of the
5 council's or board's action on the petition or the expiration of the 30-day period,
6 whichever first occurs. If there are 6 weeks or less before the election, the ordinance
7 or resolution shall be voted on at the next election authorized under s. 8.065 (1) or
8 an election authorized under s. 8.065 (2) thereafter. ~~The council or board by a~~
9 ~~three-fourths vote of the members-elect may order a special election for the purpose~~
10 ~~of voting on the ordinance or resolution at any time prior to the next election, but not~~
11 ~~more than one special election for direct legislation may be ordered in any 6-month~~
12 ~~period.~~

13 **SECTION 126.** 10.02 (3) (b) 1. of the statutes is amended to read:

14 10.02 (3) (b) 1. If an elector wishes to vote for all candidates nominated by any
15 party, the elector shall make a (X) ~~in the circle~~ or depress the lever or button under
16 next to the party designation printed shown at the top of the ballot, ~~except that at~~
17 ~~the general election the elector shall cast one vote jointly for the offices of president~~
18 ~~and vice president or governor and lieutenant governor. A vote for candidates for~~
19 ~~president and vice president is a vote for the presidential electors of those candidates.~~
20 Unless a name has been erased or crossed out, another name written in, a cross made
21 ~~to the right~~ next to the name of a candidate for the same office in another column or
22 a sticker applied, a cross ~~in the circle~~ next to a party designation at the top of the
23 column is a vote for all the party's candidates listed in the column. If an elector does
24 not wish to vote for all the candidates nominated by one party, the elector shall make
25 a cross (X) ~~in the square at the right of~~ next to or separately depress the levers or

1 buttons next to each candidate's name for whom he or she intends to vote, or shall
2 insert or write in the name of a candidate.

3 **SECTION 127.** 10.02 (3) (b) 2. of the statutes is amended to read:

4 10.02 (3) (b) 2. At a special partisan primary, the elector shall select the party
5 ballot of his or her choice and shall make a cross (X) ~~in the square at the right of~~ next
6 to or depress the lever or button next to the candidate's name for each office for whom
7 the elector intends to vote, or shall insert or write in the name of the elector's choice
8 for a candidate.

9 **SECTION 128.** 10.02 (3) (b) 2m. of the statutes is amended to read:

10 10.02 (3) (b) 2m. At the September primary, the elector shall select the party
11 ballot of his or her choice or the ballot containing the names of the independent
12 candidates ~~for state office~~, and make a cross (X) ~~in the square at the right of~~ next to
13 or depress the lever or button next to the candidate's name for each office for whom
14 the elector intends to vote or insert or write in the name of the elector's choice for a
15 party candidate, if any. In order to qualify for participation in the Wisconsin clean
16 election campaign system fund, a candidate for state office at the September primary,
17 other than a candidate for district attorney, must receive at least 6% of all votes cast
18 on all ballots for the office for which he or she is a candidate, in addition to other
19 requirements.

20 **SECTION 129.** 10.02 (3) (b) 3. and 4., (c) and (d) of the statutes are amended to
21 read:

22 10.02 (3) (b) 3. When casting a presidential preference vote, the elector shall
23 select the party ballot of his or her choice and make a cross (X) ~~in the square at the~~
24 ~~right of~~ next to or depress the button or lever next to the candidate's name for whom
25 he or she intends to vote or shall, in the alternative, make a cross (X) ~~in the square~~

1 at the right of next to or depress the button or lever next to the words “Uninstructed
2 delegation”, or shall write in the name of his or her choice for a candidate.

3 4. At a nonpartisan primary, the elector shall make a cross (X) ~~in the square~~
4 at the right of next to or depress the button or lever next to the candidate’s name for
5 each office for whom he or she intends to vote, or insert or write in the name of his
6 or her choice for a candidate.

7 (c) In presidential elections, the elector shall make a cross (X) ~~in the square at~~
8 ~~the right of~~ next to or depress the button or lever next to the set of candidates for
9 president and vice president for whom he or she intends to vote. The vote shall be
10 counted for all the candidates for presidential electors of those candidates.

11 (d) On referenda questions, the elector shall make a cross (X) ~~in the square at~~
12 ~~the right of~~ next to or depress the button or lever next to the answer which he or she
13 intends to give.

14 **SECTION 130.** 10.66 (1m) (a) of the statutes is repealed.

15 **SECTION 131.** 10.76 (1r) (a) of the statutes is repealed.

16 **SECTION 132.** 10.82 (1) (e) of the statutes is amended to read:

17 10.82 (1) (e) *Date for special election.* The date for the special election shall be
18 not less than ~~62~~ 92 nor more than ~~77~~ 107 days from date of order except when the
19 special election is held on the day of the spring election or the general election. See
20 s. 8.50 (2).

21 **SECTION 133.** 10.82 (2) (d) of the statutes is amended to read:

22 10.82 (2) (d) *Date for special election.* The date for the special election shall be
23 not less than ~~62~~ 92 nor more than ~~77~~ 107 days from date of order except when the
24 special election is held on the day of the spring election or the general election. See
25 s. 8.50 (2).

1 **SECTION 134.** 10.82 (3) (d) of the statutes is amended to read:

2 10.82 (3) (d) *Date for special election.* The date for the special election shall be
3 not less than ~~62~~ 92 nor more than ~~77~~ 107 days from date of order except when the
4 special election is held on the day of the spring election or the general election. See
5 s. 8.50 (2).

6 **SECTION 135.** 10.82 (4) (d) of the statutes is amended to read:

7 10.82 (4) (d) *Date for special election.* The date for the special election shall be
8 not less than ~~62~~ 92 nor more than ~~77~~ 107 days from date of order except when the
9 special election is held on the day of the spring election or the general election. See
10 s. 8.50 (2).

11 **SECTION 136.** 10.82 (5) (c) of the statutes is amended to read:

12 10.82 (5) (c) *Date for special election.* The date for the special election shall be
13 not less than ~~62~~ 92 nor more than ~~77~~ 107 days from date of order except when the
14 special election is held on the day of the spring election or the general election. See
15 s. 8.50 (2).

16 **SECTION 137.** 11.01 (12s) of the statutes is amended to read:

17 11.01 (12s) “Legislative campaign committee” means a committee which does
18 not file an oath a statement under s. 11.06 (7) (a) organized in either house of the
19 legislature to support candidates of a political party for legislative office.

20 **SECTION 138.** 11.01 (13) of the statutes is created to read:

21 11.01 (13) “Mass mailing” means the distribution of 50 or more pieces of
22 substantially identical material.

23 **SECTION 139.** 11.01 (16) (a) 1. of the statutes is amended to read:

24 11.01 (16) (a) 1. The making of a communication which ~~expressly~~ advocates the
25 election, defeat, recall or retention of a clearly identified candidate or a particular

1 vote at a referendum or, in the case of a registrant who or which files a statement
2 under s. 11.06 (7) (a) or 11.065 (2), the making of such a communication by means of
3 the use of one or more of the following words or phrases: “vote for”, “vote against”,
4 “support”, “oppose”, “elect”, “defeat”, “cast your ballot for”, “cast your ballot against”,
5 “adopt” or “reject”.

6 **SECTION 140.** 11.01 (20) of the statutes is created to read:

7 11.01 (20) “Telephone bank operator” means any person who places or directs
8 the placement of telephone calls to individuals.

9 **SECTION 141.** 11.02 (3) of the statutes is amended to read:

10 11.02 (3) The Except as provided in sub. (3e), the “filing officer” for each
11 candidate for local office and for each committee which or individual who is acting
12 in support of or in opposition to any candidate for local office, but not any candidate
13 for state office, is the clerk of the most populous jurisdiction for which any candidate
14 who is supported or opposed seeks office.

15 **SECTION 142.** 11.02 (3e) of the statutes is created to read:

16 11.02 (3e) The “filing officer” for each candidate for municipal judge elected
17 under s. 755.01 (4) and for each committee which or individual who is acting in
18 support of or in opposition to such a candidate, but not any candidate for state office,
19 is the county clerk or board of election commissioners of the county having the largest
20 portion of the population in the jurisdiction served by the judge.

21 **SECTION 143.** 11.03 (1) of the statutes is amended to read:

22 11.03 (1) Elections for the positions of presidential elector, and convention
23 delegate ~~and party committeeman or committeewoman~~ are not subject to ss. 11.05
24 to 11.23 and 11.26 to 11.29.

25 **SECTION 144.** 11.05 (2r) of the statutes is amended to read:

1 11.05 (2r) GENERAL REPORTING EXEMPTIONS. Any person, committee or group,
2 other than a committee or individual required to file an ~~oath~~ a statement under s.
3 11.06 (7) (a), who or which does not anticipate accepting contributions, making
4 disbursements or incurring obligations in an aggregate amount in excess of \$1,000
5 in a calendar year and does not anticipate accepting any contribution or
6 contributions from a single source, other than contributions made by a candidate to
7 his or her own campaign, exceeding \$100 in that year may indicate on its registration
8 statement that the person, committee or group will not accept contributions, incur
9 obligations or make disbursements in the aggregate in excess of \$1,000 in any
10 calendar year and will not accept any contribution or contributions from a single
11 source, other than contributions made by a candidate to his or her own campaign,
12 exceeding \$100 in such year. Any registrant making such an indication is not subject
13 to any filing requirement if the statement is true. The registrant need not file a
14 termination report. A registrant not making such an indication on a registration
15 statement is subject to a filing requirement. The indication may be revoked and the
16 registrant is then subject to a filing requirement as of the date of revocation, or the
17 date that aggregate contributions, disbursements or obligations for the calendar
18 year exceed \$1,000, or the date on which the registrant accepts any contribution or
19 contributions exceeding \$100 from a single source, other than contributions made by
20 a candidate to his or her own campaign, during that year, whichever is earlier. If the
21 revocation is not timely, the registrant violates s. 11.27 (1).

22 **SECTION 145.** 11.05 (3) (n) of the statutes is repealed.

23 **SECTION 146.** 11.05 (3) (q) of the statutes is created to read:

24 11.05 (3) (q) In the case of a committee which does not maintain a street address
25 within this state, a report providing the information required under s. 11.06 (1) for

1 the portion of the year in which the committee initially files a statement under this
2 section before filing that statement, and the 2-year period preceding the beginning
3 of that year. This paragraph does not apply to a federal account committee of a state
4 political party organization, as defined in s. 11.06 (3r) (a), or a national political party
5 committee, as defined in s. 11.06 (3w) (a).

6 **SECTION 147.** 11.05 (13) of the statutes is amended to read:

7 11.05 (13) BANK ACCOUNT AND POSTAL BOX; EXEMPTION. An individual, committee
8 or group does not violate this section by accepting a contribution and making a
9 disbursement in the amount required to rent a postal box, or in the minimum amount
10 required by a bank or trust company to open a checking account, prior to the time of
11 registration, if the disbursement is properly reported on the first report submitted
12 under s. 11.20 or 11.21 (16) after the date that the individual, committee or group is
13 registered, whenever a reporting requirement applies to the registrant.

14 **SECTION 148.** 11.06 (1) (intro.) of the statutes is amended to read:

15 11.06 (1) CONTENTS OF REPORT. (intro.) Except as provided in subs. (2), ~~(3)~~ and
16 ~~(3m)~~, ~~(3r)~~ and ~~(3w)~~ and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall
17 make full reports, upon a form prescribed by the board and signed by the appropriate
18 individual under sub. (5), of all contributions received, contributions or
19 disbursements made, and obligations incurred. Each report shall contain the
20 following information, covering the period since the last date covered on the previous
21 report, unless otherwise provided:

22 **SECTION 149.** 11.06 (1) (a) of the statutes is amended to read:

23 11.06 (1) (a) ~~An~~ Except as provided in par. (am), an itemized statement giving
24 the date, full name and street address of each contributor who has made a
25 contribution in excess of \$20, or whose contribution if \$20 or less aggregates more

1 than \$20 for the calendar year, together with the amount of the contribution ~~and~~, the
2 cumulative total contributions made by that contributor for the calendar year and,
3 if the contributor made the contribution through a conduit, the identity of the
4 conduit.

5 **SECTION 150.** 11.06 (1) (am) of the statutes is created to read:

6 11.06 (1) (am) In the case of a committee identified under s. 11.05 (3) (c) as a
7 special interest committee, if the aggregate contributions accepted by the committee
8 within the calendar year from contributors who are not required to be identified
9 under par. (a) exceed \$200, an itemized statement giving the full name and street
10 address of each contributor who is not identified under par. (a).

11 **SECTION 151.** 11.06 (1) (j) of the statutes is amended to read:

12 11.06 (1) (j) In the case of a committee or individual filing ~~an oath~~ a statement
13 under sub. (7) (a), a separate schedule showing for each disbursement which is made
14 independently of a candidate, other than a contribution made to that candidate, the
15 name of the candidate or candidates on whose behalf or in opposition to whom the
16 disbursement is made, indicating whether the purpose is support or opposition.

17 **SECTION 152.** 11.06 (1) (n) of the statutes is created to read:

18 11.06 (1) (n) All information that is required to be disclosed under sub. (7) (a)
19 or s. 11.065 (3).

20 **SECTION 153.** 11.06 (2) of the statutes is amended to read:

21 11.06 (2) DISCLOSURE OF CERTAIN INDIRECT DISBURSEMENTS. Notwithstanding
22 sub. (1), if a disbursement is made or obligation incurred by an individual other than
23 a candidate or by a committee or group which is not primarily organized for political
24 purposes, and the disbursement does not constitute a contribution to any candidate
25 or other individual, committee or group, the disbursement or obligation is required

1 to be reported only if the purpose is to expressly advocate the election or defeat of a
2 clearly identified candidate or the adoption or rejection of a referendum by means of
3 the use of a word or phrase specified in s. 11.01 (16) (a) 1. The exemption provided
4 by this subsection shall in no case be construed to apply to a political party, legislative
5 campaign, personal campaign or support committee.

6 **SECTION 154.** 11.06 (3) of the statutes is repealed.

7 **SECTION 155.** 11.06 (4) (b) of the statutes is amended to read:

8 11.06 (4) (b) Unless it is returned or donated within 15 days of receipt, a
9 contribution must be reported as received and accepted on the date received. This
10 ~~subsection paragraph~~ applies notwithstanding the fact that the contribution is not
11 deposited in the a campaign depository account by the closing date for the a reporting
12 period as provided in s. 11.20 (8).

13 **SECTION 156.** 11.06 (7) (title) of the statutes is amended to read:

14 11.06 (7) (title) OATH STATEMENT FOR INDEPENDENT DISBURSEMENTS.

15 **SECTION 157.** 11.06 (7) (a) of the statutes is amended to read:

16 11.06 (7) (a) Every committee, other than a personal campaign committee,
17 which and every individual, other than a candidate, who desires to make
18 disbursements a disbursement or incur an obligation to make a disbursement during
19 any calendar year, which ~~are~~ is to be used to advocate the election or defeat of any
20 clearly identified candidate ~~or candidates in any election~~ by means of the use of one
21 or more of the following words or phrases: “vote for” “vote against”, “support”,
22 “oppose”, “elect”, “defeat”, “cast your ballot for” or “cast your ballot against”, shall,
23 at least 10 days before making any such disbursement or incurring any such
24 obligation, except within the amount authorized under s. 11.05 (1) or (2), file with the
25 registration statement under s. 11.05 filing officer of the committee or individual a

1 statement under oath affirming that the committee or individual does not act in
2 cooperation or consultation with any candidate or agent or authorized committee of
3 a candidate who is supported, that the committee or individual does not act in concert
4 with, or at the request or suggestion of, any candidate or any agent or authorized
5 committee of a candidate who is supported, that the committee or individual does not
6 act in cooperation or consultation with any candidate or agent or authorized
7 committee of a candidate who benefits from a disbursement made in opposition to a
8 candidate, and that the committee or individual does not act in concert with, or at
9 the request or suggestion of, any candidate or agent or authorized committee of a
10 candidate who benefits from a disbursement made in opposition to a candidate. A
11 committee which or individual who acts independently of one or more candidates or
12 agents or authorized committees of candidates and also in cooperation or upon
13 consultation with, in concert with, or at the request or suggestion of one or more
14 candidates or agents or authorized committees of candidates shall indicate in the
15 oath statement the names of the candidate or candidates to which it applies. The
16 statement shall include the amount and a description of the purpose of each proposed
17 disbursement or obligation. Any committee which or individual who files a
18 statement under this paragraph may file an amendment to the statement at any
19 time, but the committee or individual may not make any disbursement or incur any
20 obligation to make a disbursement for any amount or purpose not included in the
21 original statement prior to the end of the 10th day after the committee or individual
22 files the amendment disclosing the amount and purpose of that proposed
23 disbursement or obligation.

24 **SECTION 158.** 11.06 (7) (b) of the statutes is amended to read:

1 11.06 (7) (b) A committee or individual required to file ~~an oath~~ a statement
2 under this subsection shall file the ~~oath~~ statement at the time of registration under
3 s. 11.05 or the time the committee or individual becomes subject to this subsection,
4 whichever is later. ~~The committee or individual shall file an amendment to the oath~~
5 ~~whenever there is a change in the candidate or candidates to whom it applies.~~ A
6 committee or individual shall refile the ~~oath~~ statement for each calendar year in
7 which the committee or individual proposes to make ~~disbursements~~ a disbursement
8 or incur an obligation specified in this subsection, no later than January 31 of that
9 calendar year.

10 **SECTION 159.** 11.06 (7) (c) of the statutes is amended to read:

11 11.06 (7) (c) Any individual who or committee which falsely makes ~~an oath~~ a
12 statement under par. (a), or any individual, committee or agent of an individual or
13 committee who or which carries on any activities with intent to violate ~~an oath~~ a
14 statement under par. (a) is guilty of a violation of this chapter.

15 **SECTION 160.** 11.06 (7m) (a) of the statutes is amended to read:

16 11.06 (7m) (a) If a committee which was registered under s. 11.05 as a political
17 party committee or legislative campaign committee supporting candidates of a
18 political party files ~~an oath~~ a statement under sub. (7) affirming that it does not act
19 ~~in cooperation or consultation with any candidate who is nominated to appear on the~~
20 ~~party ballot of the party at a general or special election, that the committee does not~~
21 ~~act in concert with, or at the request or suggestion of, such a candidate, that the~~
22 ~~committee does not act in cooperation or consultation with such a candidate or agent~~
23 ~~or authorized committee of such a candidate who benefits from a disbursement made~~
24 ~~in opposition to another candidate, and that the committee does not act in concert~~
25 ~~with, or at the request or suggestion of, such a candidate or agent or authorized~~

1 ~~committee of such a candidate who benefits from a disbursement made in opposition~~
2 ~~to another candidate, (a) or s. 11.065 (2) or (5), the committee filing the oath~~
3 ~~statement~~ may not make any contributions in support of any candidate of the party
4 at the general or special election or in opposition to any such candidate's opponents
5 exceeding the amounts specified in s. 11.26 (2), except as authorized in par. (c).

6 **SECTION 161.** 11.06 (7m) (b) of the statutes is amended to read:

7 11.06 (7m) (b) If the committee has already made contributions in excess of the
8 amounts specified in s. 11.26 (2) at the time it files ~~an oath~~ a statement under sub.
9 (7) ~~(a) or s. 11.065 (2) or (5)~~, each candidate to whom contributions are made shall
10 promptly return a sufficient amount of contributions to bring the committee in
11 compliance with this subsection and the committee may not make any additional
12 contributions in violation of this subsection.

13 **SECTION 162.** 11.06 (7m) (c) of the statutes is amended to read:

14 11.06 (7m) (c) A committee or organization filing ~~an oath~~ a statement under
15 sub. (7) ~~(a) or s. 11.065 (2) or (5)~~ which desires to change its status to a political party
16 committee or legislative campaign committee may do so as of December 31 of any
17 even-numbered year. Section 11.26 does not apply to contributions received by such
18 a committee or organization prior to the date of the change. Such a committee or
19 organization may change its status at other times only by filing a termination
20 statement under s. 11.19 (1) and reregistering as a newly organized committee under
21 s. 11.05.

22 **SECTION 163.** 11.06 (11) (a) of the statutes is amended to read:

23 11.06 (11) (a) A conduit transferring a contribution of money shall, in writing,
24 identify itself to the transferee as a conduit and report to the transferee of each
25 contribution transferred by it the information about the original contributor

1 required for reporting purposes under sub. (1) (a) and (b) at the time the contribution
2 is transferred. The conduit shall include the information in its any report filed by
3 the conduit under s. 11.12 (5) ~~or~~, 11.20 or 11.21 (16) for the date on which the
4 contribution is received and transferred.

5 **SECTION 164.** 11.065 of the statutes is created to read:

6 **11.065 Statements and reports by registrants and other persons**
7 **making certain communications.** (1) In this section, “organization” means any
8 person, other than an individual, and any combination of 2 or more persons.

9 (2) Any registrant who or which proposes to make an expenditure other than
10 a disbursement or to incur an obligation to make such an expenditure for the purpose
11 of publishing, broadcasting or disseminating a communication which includes the
12 name or likeness of a candidate for state or local office at a primary or other election
13 within 30 days of that election by means of one or more communications media or a
14 mass mailing or through a telephone bank operator, at least 10 days prior to making
15 any such expenditure or incurring any such obligation, shall file a statement on a
16 form prescribed by the board with the filing officer of the candidate whose name or
17 likeness is used. The statement shall include the name of each candidate whose
18 name or likeness is included in any communication to be made by the registrant and
19 the amount of the expenditure to be made or the obligation to be incurred by the
20 registrant for the purpose of making the communication. The statement shall
21 include an affirmance, under oath, that the registrant does not act in cooperation or
22 consultation with any candidate or agent or authorized committee of any candidate
23 whose name or likeness is included in any communication to be made by the
24 registrant, that the registrant does not act in concert with, or at the request or
25 suggestion of, any candidate or any agent or authorized committee of any such

1 candidate, that the registrant does not act in cooperation or consultation with any
2 candidate or agent or authorized committee of a candidate who may benefit from a
3 communication to be made by the registrant, and that the registrant does not act in
4 concert with, or at the request or suggestion of, any candidate or agent or authorized
5 committee of a candidate who may benefit from a communication to be made by the
6 registrant. If, after filing the statement, the registrant determines to make an
7 expenditure or incur an obligation to make an expenditure for a purpose specified in
8 this subsection in an additional amount not included in the statement or if the
9 registrant determines to make a communication which includes the name or likeness
10 of a candidate for state or local office who is not identified in the statement, and the
11 communication would require a statement to be filed under this subsection, the
12 registrant shall, at least 10 days before making the expenditure or incurring the
13 obligation, file an amended statement which includes the additional amount of the
14 expenditure or obligation or the name of that candidate with the appropriate filing
15 officer.

16 **(3)** A registrant filing a statement under sub. (2) shall include in its reports
17 filed with each filing officer with whom the registrant is registered all of the
18 following:

19 (a) Each donation for a purpose specified in sub. (2) received from a single
20 source exceeding \$20 within a calendar year, together with the amount of the
21 donation, the date that the donation was received and accepted, the name and
22 address of the donor and, if the amount of the donation exceeds \$100 cumulatively
23 within a calendar year, the occupation and principal place of employment of the
24 donor.

1 (b) Each expenditure made for a purpose specified in sub. (2) exceeding \$20,
2 together with the amount of the expenditure, the date that the expenditure was
3 made, the name of the person to whom the expenditure was made and the specific
4 purpose for which the expenditure was made.

5 (c) Each obligation incurred for a purpose specified in sub. (2) exceeding \$20,
6 together with the amount of the obligation, the name of the person to whom the
7 obligation was incurred and the specific purpose for which the obligation was
8 incurred.

9 (d) The total donations and other income received and accepted and total
10 expenditures made cumulatively for the calendar year.

11 **(4)** (a) If a registrant under sub. (2) receives income exceeding \$20,000 in
12 amount or value within a calendar year for a purpose specified in sub. (2) with respect
13 to one or more candidates for state office, or a registrant receives contributions
14 which, combined with that income, exceed \$20,000 in amount or value within a
15 calendar year for a purpose specified in sub. (2), the registrant shall file reports with
16 the board under s. 11.21 (16) which include the information required under sub. (3)
17 at the times specified in s. 11.20 (2), (2m) and (4) for filing of reports by each candidate
18 whose name or likeness is included in a communication made or to be made by the
19 registrant. In addition, the registrant shall file the same reports recorded on a
20 medium specified by the board.

21 (b) If a registrant under sub. (2) receives contributions or other income with
22 respect to one or more candidates for state office not exceeding \$20,000 in amount
23 or value within a calendar year, or if a registrant under sub. (2) receives contributions
24 or other income with respect to one or more candidates for local office for a purpose
25 specified in sub. (2), the registrant shall report to the appropriate filing officer the

1 information required under sub. (3) in the form prescribed by the board at the times
2 specified in s. 11.20 (2), (2m) and (4) for filing of reports by each candidate whose
3 name or likeness is included in a communication made or to be made by the
4 registrant.

5 (c) All information reported under this subsection shall include income
6 received and accepted, expenditures made and obligations incurred as of the
7 applicable dates specified in s. 11.20 (8).

8 (5) Any individual or organization other than a registrant who or which
9 proposes to make an expenditure or to incur an obligation to make an expenditure
10 for the purpose of publishing, broadcasting or disseminating a communication which
11 includes the name or likeness of a candidate for state or local office at a primary or
12 other election within 30 days of that election by means of one or more
13 communications media or a mass mailing or through a telephone bank operator, at
14 least 10 days prior to making any such expenditure or incurring any such obligation,
15 shall file a statement on a form prescribed by the board with the filing officer of each
16 candidate whose name or likeness is included in any communication to be made by
17 the individual or organization. The statement shall include the address of any
18 individual filing the statement and, with respect to any organization filing the
19 statement, the form of the organization, its principal place of business and the name
20 and address of an individual designated by the organization for service of process.
21 The statement shall also include the name of each candidate whose name or likeness
22 is to be included in any communication to be made by the individual or organization
23 and the amount of the expenditure to be made or the obligation to be incurred by the
24 individual or organization for the purpose of making the communication. The
25 statement shall include an affirmance, under oath, that the individual or

1 organization does not act in cooperation or consultation with any candidate or agent
2 or authorized committee of any candidate whose name or likeness is included in any
3 communication to be made by the individual or organization, that the individual or
4 organization does not act in concert with, or at the request or suggestion of, any
5 candidate or any agent or authorized committee of any such candidate, that the
6 individual or organization does not act in cooperation or consultation with any
7 candidate or agent or authorized committee of a candidate who may benefit from a
8 communication to be made by the individual or organization, and that the individual
9 or organization does not act in concert with, or at the request or suggestion of, any
10 candidate or agent or authorized committee of a candidate who may benefit from a
11 communication to be made by the individual or organization. If, after filing the
12 statement, the individual or organization determines to make an expenditure or
13 incur an obligation to make an expenditure for a purpose specified in this subsection
14 in an additional amount not included in the statement or if the individual or
15 organization determines to make a communication which includes the name or
16 likeness of a candidate for state or local office who is not identified in the statement,
17 and the communication would require a statement to be filed under this subsection,
18 the individual or organization shall, at least 10 days before making the expenditure
19 or incurring the obligation, file an amended statement which includes the additional
20 amount of the expenditure or obligation or the name of that candidate with the
21 appropriate filing officer.

22 (6) This section does not apply to the publication, broadcast or dissemination
23 of any information with respect to any candidate by any person who regularly
24 publishes, broadcasts or disseminates such information for bona fide news reporting

1 or editorial purposes, if the person has not been paid specifically by any other person
2 to publish, broadcast or disseminate that information.

3 **SECTION 165.** 11.09 (3) of the statutes is amended to read:

4 11.09 (3) Each registrant whose filing officer is the board, who or which makes
5 disbursements in connection with elections for offices which serve or referenda
6 which affect only one county or portion thereof, except a candidate, personal
7 campaign committee, political party committee or other committee making
8 disbursements in support of or in opposition to a candidate for state senator,
9 representative to the assembly, court of appeals judge or circuit judge, shall file a
10 duplicate original of each financial report filed with the board with the county clerk
11 or board of election commissioners of the county in which the elections in which the
12 registrant participates are held. Such reports shall be filed no later than the dates
13 specified under s. 11.20 (2) and (4) for the filing of each report with the board. This
14 subsection does not apply to a registrant who or which files reports under s. 11.21
15 (16).

16 **SECTION 166.** 11.12 (1) (a) of the statutes is amended to read:

17 11.12 (1) (a) ~~No~~ Except as provided in par. (d), no contribution may be made or
18 received and no disbursement may be made or obligation incurred by a person or
19 committee, except within the amount authorized under s. 11.05 (1) and (2), in support
20 of or in opposition to any specific candidate or candidates in an election, other than
21 through the campaign treasurer of the candidate or the candidate's opponent, or by
22 or through an individual or committee registered under s. 11.05 and filing a
23 statement under s. 11.06 (7) (a).

24 **SECTION 167.** 11.12 (1) (d) of the statutes is amended to read:

1 11.12 (1) (d) Paragraph (a) does not apply to disbursements and obligations
2 which are exempted from reporting under s. 11.06 (2). Paragraph (a) does not apply
3 to a disbursement made or obligation incurred by an individual other than a
4 candidate or by a committee which is not organized exclusively for political purposes
5 and which is not made for the purpose of making a communication which utilizes a
6 word or phrase specified in s. 11.06 (7) (a).

7 **SECTION 168.** 11.12 (4) of the statutes is amended to read:

8 11.12 (4) Each registrant shall report contributions, disbursements and
9 incurred obligations in accordance with s. 11.20, and if the registrant files reports
10 under s. 11.21 (16), in accordance with s. 11.21 (16). Except as permitted under s.
11 11.06 (2),~~(3)~~ and (3m), each report shall contain the information which is required
12 under s. 11.06 (1).

13 **SECTION 169.** 11.12 (6) of the statutes is amended to read:

14 11.12 (6) If any disbursement of more than \$20 cumulatively is made by an
15 individual or committee to advocate the election or defeat of a clearly identified
16 candidate by ~~an individual or committee~~ means of the use of a word or phrase
17 specified in s. 11.06 (7) (a) or if an individual or committee files a statement under
18 s. 11.06 (7) (a) or 11.065 (2) indicates it intent to make a disbursement for that
19 purpose or by the means later than 15 days prior to a primary or election in which
20 the candidate's name appears on the ballot without cooperation or consultation with
21 a candidate or agent or authorized committee of a candidate who is supported or
22 opposed, and not in concert with or at the request or suggestion of such a candidate,
23 agent or committee, the individual or treasurer of the committee shall, within 24
24 hours of making the disbursement of filing the statement, inform the appropriate
25 filing officer of the information required under s. 11.06 (1) in such manner as the

1 board may prescribe. The information shall also be included in the next regular
2 report of the individual or committee under s. 11.20. For purposes of this subsection,
3 disbursements and proposed disbursements cumulate beginning with the day after
4 the last date covered on the preprimary or preelection report and ending with the day
5 before the primary or election. Upon receipt of a report under this subsection, the
6 filing officer shall, within 24 hours of receipt, mail a copy of the report to all
7 candidates for any office in support of or opposition to one of whom a disbursement
8 or proposed disbursement identified in the report is made.

9 **SECTION 170.** 11.16 (1) (a) and (b) of the statutes are amended to read:

10 11.16 (1) (a) No disbursement may be made or obligation incurred by a
11 candidate, or by any other person or committee to advocate the election or defeat of
12 a clearly identified candidate, other than by an individual who, or a committee
13 which, has registered under s. 11.05 and filed ~~an oath~~ a statement under s. 11.06 (7)
14 (a), except by the campaign treasurer of the candidate or other agent designated by
15 the candidate and acting under his or her authority. This paragraph does not apply
16 to a disbursement made or obligation incurred by an individual other than a
17 candidate or by a committee which is not organized primarily for political purposes
18 and which is not made for the purpose of making a communication which utilizes a
19 word or phrase specified in s. 11.06 (7) (a).

20 (b) The treasurer of each committee and each individual to whom par. (a)
21 applies and who proposes to make a disbursement to advocate the election or defeat
22 of a clearly identified candidate shall notify the treasurer or other agent designated
23 under par. (a) of the candidate who is supported or whose opponent is opposed and
24 obtain the authorization of the treasurer prior to making the disbursement. This

1 paragraph does not apply to an individual or committee filing ~~an oath~~ a statement
2 under s. 11.06 (7) (a) with respect to the candidate who is supported or opposed.

3 **SECTION 171.** 11.16 (2e) of the statutes is created to read:

4 11.16 **(2e)** FORM OF CERTAIN NEGOTIABLE INSTRUMENTS. (a) Each contribution
5 made by negotiable instrument that is transferred from the contributor to the
6 recipient by another person, together with one or more additional contributions
7 made by means of negotiable instruments, shall have shown on the face of the
8 instrument the date that the contribution is made, the amount of the contribution
9 and the name of the intended recipient. The contributor of each such contribution
10 shall personally enter the information required by this subsection at the time the
11 contributor transfers the contribution to the other person.

12 (b) No person may enter or change the date that a contribution specified in par.

13 (a) is made so as to indicate a date that the contribution is made other than the date
14 that the contribution is transferred by the contributor to the transferee under par.
15 (a).

16 **SECTION 172.** 11.19 (1) of the statutes, as affected by 1997 Wisconsin Act 27,
17 is amended to read:

18 11.19 **(1)** Whenever any registrant disbands or determines that obligations or
19 other debts reportable under s. 11.065 (3) will no longer be incurred, and
20 contributions or other donations that are required to be disclosed under s. 11.065 (3)
21 will no longer be received nor disbursements or other expenditures that are required
22 to be disclosed under s. 11.065 made during a calendar year, and the registrant has
23 no outstanding incurred obligations or other debts that are required to be disclosed
24 under s. 11.065 (3), the registrant shall file a termination report with the appropriate
25 filing officer. Such report shall indicate a cash balance on hand of zero at the end of

1 the reporting period and shall indicate the disposition of residual funds. Residual
2 funds may be used for any political purpose not prohibited by law, returned to the
3 donors in an amount not exceeding the original contribution or donation, or donated
4 to a charitable organization or the common school fund. The report shall be filed and
5 certified as were previous reports, and shall contain the information required by s.
6 11.06 (1). A registrant to which s. 11.055 (1) applies shall pay the fee imposed under
7 that subsection with a termination report filed under this subsection. If a
8 termination report or suspension report under sub. (2) is not filed, the registrant
9 shall continue to file periodic reports with the appropriate filing officer, no later than
10 the dates specified in s. 11.20. This subsection does not apply to any registrant
11 making an indication under s. 11.05 (2r).

12 **SECTION 173.** 11.19 (2) of the statutes is amended to read:

13 11.19 (2) Notwithstanding sub. (1), any registrant other than a candidate for
14 statewide or legislative office or a personal campaign committee of such a candidate
15 who or which determines that obligations or other debts that are required to be
16 disclosed under s. 11.065 (3) will no longer be incurred, contributions or other
17 donations that are required to be disclosed under s. 11.065 (3) will no longer be made
18 or received or disbursements or other expenditures that are required to be disclosed
19 under s. 11.065 (3) will no longer be made during a calendar year in an aggregate
20 amount of more than \$1,000 may file a suspension report with the appropriate filing
21 officer. The report shall be filed and certified as were previous reports and shall
22 contain the information required under s. 11.06 (1). Upon receipt of a properly
23 executed report, the registrant shall be granted a suspension of the filing
24 requirement under s. 11.20 (9) by the appropriate filing officer. Such suspension is

1 effective only for the calendar year in which it is granted, unless the registrant alters
2 its status before the end of such year or files a termination report under sub. (1).

3 **SECTION 174.** 11.19 (4) of the statutes is amended to read:

4 11.19 (4) If a registrant files a termination report under sub. (1) or (2) and
5 within 60 days thereafter receives and accepts unanticipated contributions or other
6 donations that are required to be disclosed under s. 11.065 (3), the registrant may file
7 an amended termination report. An amended report supersedes the previous report.
8 The individual who certifies to the accuracy of the report shall also certify to a
9 statement that the amended report is filed on account of the receipt of unanticipated
10 contributions and the failure to file a correct termination report was not intentional.

11 **SECTION 175.** 11.20 (1) of the statutes is amended to read:

12 11.20 (1) All reports required by s. 11.06 which relate to activities which
13 promote or oppose candidates for state office or statewide referenda and all reports
14 under s. 11.08 shall be filed with the board. All reports required by s. 11.06 which
15 relate to activities which promote or oppose candidates for local office or local
16 referenda shall be filed with the appropriate filing officer under s. 11.02, except
17 reports filed under s. 11.08. Each registrant shall file the reports required by this
18 section. If the registrant is subject to a requirement under s. 11.21 (16) to report
19 electronically the same information that is reportable under this section or s. 11.12
20 (5) or (6) or 11.38 (1) (a) 2. or (8) (b), the registrant shall, in addition, file the reports
21 required by this section or s. 11.12 (5) or (6) or 11.38 (1) (a) 2. or (8) (b) recorded on
22 a medium specified by the board.

23 **SECTION 176.** 11.20 (3) (jm) of the statutes is created to read:

24 11.20 (3) (jm) A registrant who or which files a statement under s. 11.06 (7) (a)
25 or 11.065 (2) indicating the intent of the registrant to make a disbursement or

1 expenditure or to incur an obligation that is required to be disclosed under s. 11.06
2 (7) (a) or 11.065 (2) during the period covered by the preprimary report or the period
3 covered by the preelection report shall file the preprimary report or the preelection
4 report, respectively, whenever the registrant would be required to file that report if
5 the registrant made the disbursement or expenditure or incurred the obligation
6 during that period.

7 **SECTION 177.** 11.20 (7) of the statutes is amended to read:

8 11.20 (7) In the event that any report is required to be filed under this ~~section~~
9 chapter on a nonbusiness day, it may be filed on the next business day thereafter.

10 **SECTION 178.** 11.21 (9) of the statutes, as affected by 1997 Wisconsin Act 230,
11 is amended to read:

12 11.21 (9) Maintain a duplicate record of any separate schedule under s. 11.06
13 (1) (j) received with the financial report of an individual or committee filing ~~an oath~~
14 a statement under s. 11.06 (7) (a) together with the record of each candidate to whom
15 it relates.

16 **SECTION 179.** 11.21 (15) of the statutes is amended to read:

17 11.21 (15) Inform each candidate who files an application to become eligible to
18 receive a grant from the Wisconsin clean election campaign system fund of the dollar
19 amount of the applicable disbursement limitation under s. 11.31 (1), adjusted as
20 provided in s. 11.31 (9), which applies to the office for which such person is a
21 candidate. Failure to receive the notice required by this subsection does not
22 constitute a defense to a violation of s. 11.27 (1) or 11.31.

23 **SECTION 180.** 11.21 (16) of the statutes, as created by 1997 Wisconsin Act 230,
24 is amended to read:

1 11.21 (16) Require each registrant for whom the board serves as filing officer
2 and who or which accepts contributions or other income specified in s. 11.065 (4) (a)
3 in a total amount or value of \$20,000 or more during a campaign period and each
4 candidate who applies for a grant from the Wisconsin clean election system fund or
5 that candidate's personal campaign committee to file each campaign finance report
6 that is required to be filed under this chapter in an electronic format, and accept from
7 any other registrant for whom the board serves as a filing officer any campaign
8 finance report that is required to be filed under this chapter in an electronic format.
9 A registrant who or which becomes subject to a requirement to file reports in an
10 electronic format under this subsection shall initially file the registrant's report in
11 an electronic format for the period which includes the date on which the registrant
12 becomes subject to the requirement. A candidate or personal campaign committee
13 of a candidate who applies for a grant from the Wisconsin clean election system fund
14 but whose application is not approved or who does not accept a grant is not subject
15 to the filing requirement under this subsection solely as a result of filing an
16 application for a grant. To facilitate implementation of this subsection, the board
17 shall specify, by rule, a type of software that is suitable for compliance with the
18 electronic filing requirement under this subsection. The board shall provide copies
19 one copy of the software and each revision thereof to registrants each candidate for
20 state office or that candidate's personal campaign committee at the expense of the
21 board and shall provide copies to other registrants at a price fixed by the board that
22 may not exceed cost. ~~Each registrant who or which files a report under this~~
23 ~~subsection in an electronic format shall also file a copy of the report with the board~~
24 ~~that is recorded on a medium specified by the board. The copy~~ Each report under this
25 subsection shall be signed certified by an authorized individual and filed with the

1 board by each registrant no later than the time prescribed for filing of the report
2 under this chapter. The board shall ~~provide~~ offer basic training at the expense of the
3 board to each candidate for state office or that candidate's personal campaign
4 committee in the use of the software specified by the board and shall provide
5 complete instructions in the use of that software to any other registrant who or which
6 files a report under this subsection. In this subsection, the "campaign period" of a
7 candidate, personal campaign committee or support committee begins and ends with
8 the "campaign" of the candidate whose candidacy is supported, as defined in s. 11.26
9 (17), and the "campaign period" of any other registrant begins on January 1 of each
10 odd numbered year and ends on December 31 of the following year. The board shall
11 prescribe, by rule, requirements for registrants who or which become subject to an
12 electronic filing requirement under this subsection to file electronically any
13 information that was reported by the registrants by nonelectronic means before the
14 registrants became subject to the filing requirement imposed under this subsection.

15 **SECTION 181.** 11.21 (18) of the statutes is created to read:

16 11.21 (18) Conduct a biennial review of campaign finance practices in this
17 state. The review shall include an assessment of the continued appropriateness of
18 the contribution limitations prescribed in s. 11.26 and any other important problems
19 that require the attention of the legislature, as well as an assessment of whether a
20 bipartisan committee should be created to provide for additional study of issues and
21 recommendations for possible additional legislative changes. If the board concludes
22 that any of the contribution limitations prescribed in s. 11.26 should be increased or
23 that any other action should be taken as a result of its review, the board shall
24 transmit its conclusions and recommendations to the appropriate standing
25 committees of each house of the legislature under s. 13.172 (3), together with

1 information supporting the board's conclusions, no later than January 1 of each
2 odd-numbered year.

3 **SECTION 182.** 11.22 (10) of the statutes is amended to read:

4 11.22 (10) Place a copy of any separate schedule under s. 11.06 (1) (j) received
5 with the financial report of an individual or committee filing ~~an oath~~ a statement
6 under s. 11.06 (7) (a) in the file of each candidate to whom it relates.

7 **SECTION 183.** 11.23 (4) of the statutes is amended to read:

8 11.23 (4) Each group or individual shall file periodic reports as provided in ss.
9 11.06, 11.19 ~~and~~, 11.20 and 11.21 (16). Every individual acting for the purpose of
10 influencing the outcome of a referendum shall be deemed his or her own treasurer.
11 No disbursement may be made or obligation incurred by or on behalf of a group
12 without the authorization of the treasurer or the treasurer's designated agents. No
13 contribution may be accepted and no disbursement may be made or obligation
14 incurred by any group at a time when there is a vacancy in the office of treasurer.

15 **SECTION 184.** 11.24 (1r) of the statutes is created to read:

16 11.24 (1r) (a) No registrant may accept any contribution which is derived in
17 whole or in part from moneys that were contributed to an individual who or
18 committee which was registered with the federal election commission but was not
19 registered under s. 11.05 at the time that the moneys were received by that
20 individual or committee.

21 (b) Paragraph (a) does not apply to a contribution received from a federal
22 account committee of a state political party organization, as defined in s. 11.06 (3r)
23 (a), or a national political party committee, as defined in s. 11.06 (3w) (a).

24 **SECTION 185.** 11.24 (1s) of the statutes is created to read:

1 11.24 (1s) (a) Except as authorized in s. 11.16 (5), no candidate for state office,
2 personal campaign committee of such a candidate, former candidate for state office
3 or former personal campaign committee of such a candidate may make a contribution
4 to a candidate for local office or personal campaign committee of such a candidate
5 from the campaign depository of the candidate, former candidate, personal campaign
6 committee or former personal campaign committee.

7 (b) Except as authorized in s. 11.16 (5), no candidate for local office, personal
8 campaign committee of such a candidate, former candidate for local office or former
9 personal campaign committee of such a candidate may make a contribution to a
10 candidate for state office or personal campaign committee of such a candidate from
11 the campaign depository of the candidate, former candidate, personal campaign
12 committee or former personal campaign committee.

13 **SECTION 186.** 11.24 (1t) of the statutes is created to read:

14 11.24 (1t) (a) If a candidate for state office dies or ceases to be a candidate, and
15 the candidate's personal campaign committee thereafter files a statement under s.
16 11.06 (7) (a) indicating its intent to operate as an independent committee, or the
17 committee makes any expenditure for the purpose of publishing, broadcasting or
18 disseminating a communication which includes the name or likeness of a candidate
19 by means of one or more communications media or a mass mailing or through a
20 telephone bank operator, the committee may not make any contribution for the
21 purpose of influencing the election of a candidate for local office in an election that
22 is derived in whole or in part from contributions received by the committee prior to
23 the date on which the committee files the statement under s. 11.06 (7) (a) or the
24 statement under s. 11.065, if required.

1 (b) If a candidate for local office dies or ceases to be a candidate, and the
2 candidate’s personal campaign committee thereafter files a statement under s. 11.06
3 (7) (a) indicating its intent to operate as an independent committee, or the committee
4 makes an expenditure specified in par. (a), the committee may not make any
5 contribution for the purpose of influencing the election of a candidate for state office
6 in an election that is derived in whole or in part from contributions received by the
7 committee prior to the date on which the committee files the statement under s. 11.06
8 (7) (a) or the statement under s. 11.065, if required.

9 **SECTION 187.** 11.24 (1w) of the statutes is created to read:

10 11.24 (1w) (a) In this subsection, “nonresident committee” means a committee
11 which does not maintain an office or street address in this state.

12 (b) No committee which is identified under s. 11.05 (3) (c) as a special interest
13 committee may accept any contribution made by a nonresident committee or by an
14 individual who is not a resident of this state.

15 (c) No conduit may accept any contribution made by an individual who is not
16 a resident of this state.

17 **SECTION 188.** 11.25 (2) (am) of the statutes is created to read:

18 11.25 (2) (am) No individual who is a candidate for any state office, personal
19 campaign committee of such a candidate, former candidate for state office or former
20 personal campaign committee of such a candidate may make a disbursement for the
21 purpose of influencing the election or nomination to election of that candidate or any
22 other individual who is a candidate for any local office from money or property that
23 was received by or on behalf of the candidate or former candidate when he or she was
24 a candidate for state office.

25 **SECTION 189.** 11.25 (2) (an) of the statutes is created to read:

1 11.25 (2) (an) No individual who is a candidate for any local office, personal
2 campaign committee of such a candidate, former candidate for local office or former
3 personal campaign committee of such a candidate may make a disbursement for the
4 purpose of influencing the election or nomination to election of that candidate or any
5 other individual who is a candidate for any state office from money or property that
6 was received by or on behalf of the candidate or former candidate when he or she was
7 a candidate for local office.

8 **SECTION 190.** 11.25 (2) (b) of the statutes is amended to read:

9 11.25 (2) (b) Notwithstanding par. (a), a registrant may accept contributions
10 and make disbursements from a campaign depository account for the purpose of
11 ~~making expenditures in connection with a campaign for national office; for payment~~
12 of civil penalties incurred by the registrant under this chapter; or for payment of the
13 expenses of nonpartisan campaigns to increase voter registration or participation.
14 Notwithstanding par. (a), a personal campaign committee or support committee may
15 accept contributions and make disbursements from a campaign depository account
16 for payment of inaugural expenses of an individual who is elected to state or local
17 office. If such expenses are paid from contributions made to the campaign depository
18 account, they are reportable under s. 11.06 (1) as disbursements. Otherwise, such
19 expenses are not reportable under s. 11.06 (1). If contributions from the campaign
20 depository account are used for such expenses, they are subject to s. 11.26.

21 **SECTION 191.** 11.25 (4) of the statutes is created to read:

22 11.25 (4) (a) If a candidate for state office dies or ceases to be a candidate, and
23 the candidate's personal campaign committee thereafter files a statement under s.
24 11.06 (7) (a) indicating its intent to operate as an independent committee, or its
25 intent to make an expenditure specified in s. 11.24 (1t) (a), the committee may not

1 make any disbursement to advocate the election or defeat of a clearly identified
2 candidate for local office in an election by means of the use of a word or phrase
3 specified in s. 11.06 (7) (a) or make any expenditure for the purpose of making a
4 communication specified in s. 11.24 (1t) (a) that is derived in whole or in part from
5 contributions received by the committee prior to the date on which the committee
6 files the statement under s. 11.06 (7) (a).

7 (b) If a candidate for local office dies or ceases to be a candidate, and the
8 candidate's personal campaign committee thereafter files a statement under s. 11.06
9 (7) (a) indicating its intent to operate as an independent committee, or its intent to
10 make an expenditure specified in s. 11.24 (1t) (a), the committee may not make any
11 disbursement to advocate the election or defeat of a clearly identified candidate for
12 state office in an election by means of the use of a word or phrase specified in s. 11.06
13 (7) (a) or make any expenditure for the purpose of making a communication specified
14 in s. 11.24 (1t) (a) that is derived in whole or in part from contributions received by
15 the committee prior to the date on which the committee files the statement under s.
16 11.06 (7) (a).

17 **SECTION 192.** 11.26 (1) (intro.) of the statutes is amended to read:

18 11.26 (1) (intro.) ~~No Except as provided in sub. (9m), no~~ individual may make
19 any contribution or contributions to a candidate for election or nomination to any of
20 the following offices and to any individual or committee filing a statement under s.
21 11.06 (7) (a) and acting solely in support of such a candidate or solely in opposition
22 to the candidate's opponent to the extent of more than a total of the amounts specified
23 per candidate:

24 **SECTION 193.** 11.26 (1) (b), (c), (cc), (cg), (cn), (cw) and (d) of the statutes are
25 amended to read:

1 11.26 (1) (b) Candidates for state senator, ~~\$1,000~~ \$2,000.

2 (c) Candidates for representative to the assembly, ~~\$500~~ \$1,000.

3 (cc) Candidates for court of appeals judge in districts which contain a county
4 having a population of more than 500,000, ~~\$3,000~~ \$6,000.

5 (cg) Candidates for court of appeals judge in other districts, ~~\$2,500~~ \$5,000.

6 (cn) Candidates for circuit judge in circuits having a population of more than
7 300,000, or candidates for district attorney in prosecutorial units having a
8 population of more than 300,000, ~~\$3,000~~ \$6,000.

9 (cw) Candidates for circuit judge in other circuits or candidates for district
10 attorney in other prosecutorial units, ~~\$1,000~~ \$2,000.

11 (d) Candidates for local offices, an amount equal to the greater of 1) \$250; or
12 2) one cent times the number of inhabitants of the jurisdiction or district, according
13 to the latest federal census or the census information on which the district is based,
14 as certified by the appropriate filing officer, but not more than ~~\$3,000~~ \$6,000.

15 **SECTION 194.** 11.26 (2) (intro.) of the statutes is amended to read:

16 11.26 (2) (intro.) ~~No~~ Except as provided in sub. (9m), no committee other than
17 a political party committee or legislative campaign committee may make any
18 contribution or contributions to a candidate for election or nomination to any of the
19 following offices and to any individual or committee filing a statement under s. 11.06
20 (7) (a) and acting solely in support of such a candidate or solely in opposition to the
21 candidate's opponent to the extent of more than a total of the amounts specified per
22 candidate:

23 **SECTION 195.** 11.26 (8) (a) of the statutes is amended to read:

24 11.26 (8) (a) No political party as defined in s. 5.02 (13) may receive more than
25 a total of ~~\$150,000~~ \$300,000 in value of its contributions in any biennium from all

1 other committees, excluding contributions from legislative campaign committees
2 and transfers between party committees of the party. In this paragraph, a biennium
3 commences with January 1 of each odd-numbered year and ends with December 31
4 of each even-numbered year.

5 **SECTION 196.** 11.26 (8m) of the statutes is created to read:

6 11.26 (8m) No committee identified under s. 11.05 (3) (c) as a special interest
7 committee may make any contribution or contributions to any other special interest
8 committee.

9 **SECTION 197.** 11.26 (8w) of the statutes is created to read:

10 11.26 (8w) (a) No committee identified as a special interest committee under
11 s. 11.05 (3) (c) which has received more than 25% of its total income from
12 contributions made to the committee by other special interest committees or by
13 organizations which would be required to register under s. 11.05 as special interest
14 committees if they were subject to this chapter during the portion of the year in which
15 the committee registers under s. 11.05 and the 2-year period preceding the
16 beginning of that year may make any contribution or disbursement.

17 (b) No special interest committee under par. (a) may accept any contribution
18 or contributions from all committees subject to a registration requirement under s.
19 11.05 or from organizations which would be required to register as a committee under
20 s. 11.05 if they were subject to this chapter exceeding 65% of the total amount or value
21 of all income received and accepted by the special interest committee in a biennium
22 under sub. (8) (a).

23 (c) No special interest committee under par. (a) which violates the limitation
24 under par. (b) may make any contribution or disbursement.

25 **SECTION 198.** 11.26 (9) (a) and (b) of the statutes are amended to read:

1 11.26 (9) (a) No Except as authorized under sub. (9m), no individual who is a
2 candidate for state or local office may receive and accept more than 65% of the value
3 of the total disbursement level, as determined under s. 11.31 (1) and adjusted as
4 provided in s. 11.31 (9), for the office for which he or she is a candidate during any
5 primary and election campaign combined from all committees subject to a filing
6 requirement, including political party and legislative campaign committees.

7 (b) No individual who is a candidate for state or local office may receive and
8 accept more than ~~45%~~ 25% of the value of the total disbursement level, as determined
9 under s. 11.31 (1) and adjusted as provided in s. 11.31 (9), for the office for which he
10 or she is a candidate during any primary and election campaign combined from all
11 committees other than political party and legislative campaign committees subject
12 to a filing requirement.

13 **SECTION 199.** 11.26 (9) (c) of the statutes is amended to read:

14 11.26 (9) (c) For purposes of pars. (a) and (b), a “committee” includes the
15 Wisconsin clean election campaign system fund.

16 **SECTION 200.** 11.26 (9m) of the statutes is created to read:

17 11.26 (9m) If any registrant or other individual or organization indicates in a
18 statement filed under s. 11.065 an intent to make an expenditure, other than a
19 disbursement, of \$500 or more or to incur an obligation of \$500 or more that is
20 required to be disclosed under s. 11.065 for the purpose of making a communication
21 which includes the name or likeness of a candidate, or if any registrant who or which
22 is required to file a statement under s. 11.06 (7) (a) indicates an intent to make a
23 disbursement of \$500 or more or to incur an obligation of \$500 or more for the purpose
24 of making a communication which includes the name or likeness of a candidate, and
25 the communication has the purpose or effect of opposing a candidate’s candidacy or

1 supporting his or her opponent, and the total of the expenditures and disbursements
2 made or to be made and obligations incurred or to be incurred to oppose that
3 candidate's candidacy or to support his or her opponent, excluding expenditures or
4 disbursements attributable to obligations previously incurred, by all such
5 individuals, organizations and registrants in the aggregate exceed an amount equal
6 to 10% of the limitation prescribed under s. 11.31 (2), as adjusted under s. 11.31 (9),
7 applicable to that candidate during any campaign, as defined in s. 11.31 (7), the
8 limitations prescribed in sub. (1) applicable to contributions made to that candidate
9 in that campaign are 200% of the amounts specified in sub. (1) and the limitation
10 prescribed under sub. (9) (a) does not apply to that candidate after the date on which
11 those total expenditures, disbursements and obligations exceed that amount.

12 **SECTION 201.** 11.26 (10) of the statutes is amended to read:

13 11.26 (10) No candidate for state office who files a sworn statement and
14 application to receive a grant from the Wisconsin clean election campaign system
15 fund may make contributions of more than 200% of the amounts specified in sub. (1)
16 to the candidate's own campaign from the candidate's personal funds or property or
17 the personal funds or property which are owned jointly or as marital property with
18 the candidate's spouse, unless the board determines that the candidate is not eligible
19 to receive a grant, the candidate withdraws his or her application under s. 11.50 (2)
20 (h), or sub. (10m) or s. 11.50 (2) (i) applies. For purposes of this subsection, any
21 contribution received by a candidate or his or her personal campaign committee from
22 a committee which is registered with the federal elections commission as the
23 authorized committee of the candidate under 2 USC 432 (e) shall be treated as a
24 contribution made by the candidate to his or her own campaign. The contribution
25 limit of sub. (4) applies to amounts contributed by such a candidate personally to the

1 candidate's own campaign and to other campaigns, except that a candidate may
2 exceed the limitation if authorized under this subsection to contribute more than the
3 amount specified to the candidate's own campaign, up to the amount of the
4 limitation.

5 **SECTION 202.** 11.26 (10m) of the statutes is created to read:

6 11.26 (10m) If any registrant or other individual or organization indicates in
7 a statement filed under s. 11.065 an intent to make an expenditure, other than a
8 disbursement, of \$500 or more or to incur an obligation of \$500 or more that is
9 required to be disclosed under s. 11.065 for the purpose of making a communication
10 which includes the name or likeness of a candidate, or if any registrant who or which
11 is required to file a statement under s. 11.06 (7) (a) indicates an intent to make a
12 disbursement of \$500 or more or to incur an obligation of \$500 or more for the purpose
13 of making a communication which includes the name or likeness of a candidate, and
14 the communication has the purpose or effect of opposing a candidate's candidacy or
15 supporting his or her opponent, and the total of the expenditures and disbursements
16 made or to be made and the obligations incurred or to be incurred to oppose that
17 candidate's candidacy or to support his or her opponent, excluding expenditures or
18 disbursements attributable to obligations previously incurred, by all such
19 individuals, organizations and registrants in the aggregate exceed an amount equal
20 to 10% of the limitation prescribed under s. 11.31 (2), as adjusted under s. 11.31 (9),
21 applicable to that candidate during any campaign, as defined in s. 11.31 (7), the
22 limitation prescribed under sub. (10) does not apply to that candidate after the date
23 on which those total expenditures, disbursements and obligations exceed that
24 amount.

25 **SECTION 203.** 11.30 (2) (d) of the statutes is amended to read:

1 11.30 (2) (d) In addition to the requirements of pars. (a) to (c), a committee or
2 individual required to file ~~an oath~~ a statement under s. 11.06 (7) (a) shall also in every
3 communication in support of or in opposition to any clearly identified candidate or
4 candidates by means of the use of a word or phrase specified in s. 11.01 (16) (a) 1.
5 include the words “Not authorized by any candidate or candidate’s agent or
6 committee”.

7 **SECTION 204.** 11.30 (5) of the statutes is amended to read:

8 11.30 (5) Whenever any person receives payment from another person, in cash
9 or in-kind, for the direct or indirect cost of ~~conducting a poll~~ contacting, by telephone,
10 more than one potential voter for the purpose of asking questions concerning support
11 ~~or opposition to~~ a candidate, political party or referendum, or to present any
12 information or viewpoint concerning a candidate, political party or referendum, the
13 person ~~conducting the poll~~ making the communication shall, at any time upon
14 request of any person who is ~~polled~~ contacted and in any event no later than the
15 conclusion of the communication, disclose the name and ~~address~~ of the person
16 making payment for the ~~poll~~ and, ~~in the case of a registrant under s. 11.05,~~ the name
17 of the ~~treasurer of the person making payment~~ communication.

18 **SECTION 205.** 11.31 (1) (a), (b), (c) and (d) of the statutes are amended to read:

19 11.31 (1) (a) Candidates for governor, \$1,078,200 \$2,000,000.

20 (b) Candidates for lieutenant governor, \$323,475 \$250,000.

21 (c) Candidates for attorney general, \$539,000 \$700,000.

22 (d) Candidates for secretary of state, state treasurer, justice or state
23 superintendent, \$215,625 \$250,000.

24 **SECTION 206.** 11.31 (1) (e) and (f) of the statutes are amended to read:

1 11.31 (1) (e) Candidates for state senator, ~~\$34,500 total in the primary and~~
2 election, with disbursements not exceeding ~~\$21,575 for either the primary or the~~
3 election \$100,000.

4 (f) Candidates for representative to the assembly, ~~\$17,250 total in the primary~~
5 and election, with disbursements not exceeding ~~\$10,775 for either the primary or the~~
6 election \$50,000.

7 **SECTION 207.** 11.31 (2) of the statutes is amended to read:

8 11.31 (2) (title) ~~LIMITATION IMPOSED ON TOTAL DISBURSEMENTS~~. No candidate for
9 state office at a spring or general election who files a sworn statement and
10 application to receive a grant from the Wisconsin clean election campaign system
11 fund may make or authorize total disbursements from the campaign treasury in any
12 campaign to the extent of more than the amount prescribed in sub. (1), adjusted as
13 provided under sub. (9), unless the board determines that the candidate is not
14 eligible to receive a grant, the candidate withdraws his or her application under s.
15 11.50 (2) (h), or s. 11.50 (2) (i) applies. No candidate for state office at a special
16 election who files a sworn statement and application to receive a grant from the
17 Wisconsin clean election campaign system fund may make or authorize total
18 disbursements from the campaign treasury in any campaign to the extent of more
19 than the amount prescribed under sub. (1), adjusted as provided under sub. (9), for
20 the preceding spring or general election for the same office, unless the board
21 determines that the candidate is not eligible to receive a grant, the candidate
22 withdraws his or her application under s. 11.50 (2) (h), or sub. (3n) or s. 11.50 (2) (i)
23 applies.

24 **SECTION 208.** 11.31 (3) of the statutes is amended to read:

1 11.31 (3) GUBERNATORIAL CAMPAIGNS. For purposes of compliance with the
2 limitations imposed under sub. (2), candidates for governor and lieutenant governor
3 of the same political party who both accept grants from the Wisconsin clean election
4 campaign system fund may agree to combine disbursement levels under sub. (1) (a)
5 and (b), adjusted as provided under sub. (9), and reallocate the total level between
6 them. The candidates shall each inform the board of any such agreement.

7 **SECTION 209.** 11.31 (3m) of the statutes is repealed.

8 **SECTION 210.** 11.31 (3n) of the statutes is created to read:

9 11.31 (3n) INDEPENDENT DISBURSEMENTS AND CERTAIN COMMUNICATIONS;
10 EXCEPTION. If any registrant or other individual or organization indicates in a
11 statement filed under s. 11.065 an intent to make an expenditure, other than a
12 disbursement, of \$500 or more or to incur an obligation of \$500 or more that is
13 required to be disclosed under s. 11.065 for the purpose of making a communication
14 which includes the name or likeness of a candidate, or if any registrant who or which
15 is required to file a statement under s. 11.06 (7) (a) indicates an intent to make a
16 disbursement or to incur an obligation for the purpose of making a communication
17 which includes the name or likeness of a candidate, and the communication has the
18 purpose or effect of opposing a candidate's candidacy or supporting his or her
19 opponent, and the total of the expenditures and disbursements made or to be made
20 and obligations incurred or to be incurred to oppose that candidate's candidacy or to
21 support his or her opponent, excluding expenditures or disbursements attributable
22 to obligations previously incurred, by all such individuals, organizations and
23 registrants in the aggregate exceed and amount equal to 10% of the limitation
24 prescribed under sub. (2), as adjusted under sub. (9), applicable to that candidate
25 during any campaign, the limitation prescribed under sub. (2) does not apply to that

1 candidate after the date on which those expenditures, disbursements and
2 obligations exceed that amount.

3 **SECTION 211.** 11.31 (4) of the statutes is repealed.

4 **SECTION 212.** 11.31 (7) (a) of the statutes is amended to read:

5 11.31 (7) (a) For purposes of this section, except as provided in pars. (b) and (c),
6 the “campaign” of a candidate extends from July 1 preceding the date on which the
7 spring primary or election occurs or January 1 preceding the date on which the
8 September primary or general election occurs for the office which the candidate
9 seeks, or from the date of the candidate’s public announcement, whichever is earlier,
10 through the last day of the month following the month in which ~~the an~~ an election or
11 primary is held at which a candidate seeks office. If a candidate seeks office at both
12 a primary election and at a general or spring election which follows that primary
13 election, the “campaign” of that candidate extends through the last day of the month
14 following the general or spring election. If a candidate seeks office at a primary
15 election but not at the general or spring election which follows that primary election,
16 the “campaign” of that candidate extends through the last day of the month following
17 the primary election.

18 **SECTION 213.** 11.31 (7) (c) and (d) of the statutes are amended to read:

19 11.31 (7) (c) Disbursements which are made after ~~a campaign~~ the period
20 specified in par. (a) to retire a debt incurred in relation to a campaign are charged
21 against the disbursement limitation for that campaign.

22 (d) Disbursements which are made outside ~~a campaign~~ the period specified in
23 par. (a) and to which par. (b) or (c) does not apply are not subject to any disbursement
24 limitation. Such disbursements are subject to s. 11.25 (2).

25 **SECTION 214.** 11.31 (9) of the statutes is created to read:

1 11.31 (9) ADJUSTMENT OF DISBURSEMENT LEVELS. (a) In this subsection:

2 1. “Consumer price index” means the average of the consumer price index over
3 each 12-month period, all items, U.S. city average, as determined by the bureau of
4 labor statistics of the federal department of labor.

5 2. “Voting age population of this state” means the voting age population of this
6 state, as determined by the federal election commission in its most recent
7 determination prior to the date of any calculation under this subsection.

8 (b) The dollar amounts of all disbursement levels specified in sub. (1) shall be
9 subject to a biennial adjustment to be determined by rule of the board in accordance
10 with this subsection. To determine the adjustment, the board shall calculate the
11 percentage difference between the voting age population of this state on December
12 31 of each odd-numbered year and the voting age population of this state on
13 December 31, 1997. The board shall then calculate the percentage difference
14 between the consumer price index for the 12-month period ending on December 31
15 of each odd-numbered year and the consumer price index for the base period,
16 calendar year 1997. For each biennium, the board shall first multiply the
17 disbursement levels by the percentage difference in the voting age populations. The
18 board shall then multiply that product by the percentage difference in the consumer
19 price indices. The board shall adjust the disbursement levels specified under sub.
20 (1) to substitute that result for the existing levels to the extent required to reflect any
21 difference, rounded to the nearest multiple of \$25 in the case of amounts of \$1 or
22 more, which amounts shall be in effect until a subsequent rule is promulgated under
23 this subsection. Notwithstanding s. 227.24 (3), determinations under this
24 subsection may be promulgated as an emergency rule under s. 227.24 without a
25 finding of emergency.

1 **SECTION 215.** 11.38 (title), (1) (a) and (2) (b) of the statutes are amended to read:

2 **11.38** (title) **Contributions and disbursements by corporations,**
3 **cooperatives and labor organizations.** (1) (a) 1. No foreign or domestic
4 corporation, or association organized under ch. 185 or labor organization, may make
5 any contribution or disbursement, directly or indirectly, either independently or
6 through any political party, committee, group, candidate or individual for any
7 purpose other than to promote or defeat a referendum.

8 2. Notwithstanding subd. 1., any such corporation ~~or~~, association or labor
9 organization may establish and administer a separate segregated fund and solicit
10 contributions from individuals to the fund to be utilized by such corporation ~~or~~,
11 association or labor organization, for the purpose of supporting or opposing any
12 candidate for state or local office but the corporation ~~or~~, association or labor
13 organization may not make any contribution to the fund. The fund shall appoint a
14 treasurer and shall register as a political committee under s. 11.05. A parent
15 corporation ~~or~~, association or labor organization engaging solely in this activity is not
16 subject to registration under s. 11.05, but shall register and file special reports on
17 forms prescribed by the board disclosing its administrative and solicitation expenses
18 on behalf of such fund. A corporation, association or labor organization not domiciled
19 in this state need report only its expenses for administration and solicitation of
20 contributions in this state together with a statement indicating where information
21 concerning other administration and solicitation expenses of its fund may be
22 obtained. The reports shall be filed with the filing officer for the fund specified in s.
23 11.02 in the manner in which continuing reports are filed under s. 11.20 (4) and (8)
24 and in the manner provided under s. 11.21 (16), if applicable.

1 3. No corporation ~~or~~, association or labor organization specified in subd. 1. may
2 expend more than a combined total of \$500 annually for solicitation of contributions
3 to a fund established under subd. 2. or to a conduit.

4 **(2)** (b) This section does not prohibit the publication of periodicals by a
5 corporation ~~or a~~, cooperative or labor organization in the regular course of its affairs
6 which advise the members, shareholders or subscribers of the disadvantages or
7 advantages to their interests of the election to office of persons espousing certain
8 measures, without reporting such activity.

9 **SECTION 216.** 11.38 (2) (c) of the statutes is repealed.

10 **SECTION 217.** 11.38 (3) to (5) of the statutes are amended to read:

11 11.38 **(3)** A violation of this section by an officer or employe of a corporation,
12 association or labor organization is prima facie evidence of a violation by the
13 corporation.

14 **(4)** Any corporation, association or labor organization which violates this
15 section shall forfeit double the amount of any penalty assessed under s. 11.60 (3).

16 **(5)** An action against a corporation, association or labor organization pursuant
17 to a violation of this section may be brought either in the circuit court for the county
18 in which the registered office or principal place of business of the corporation,
19 association or labor organization is located, or in the circuit court for the county in
20 which the violation is alleged to have occurred. The proceedings may be brought by
21 the district attorney of either such county, by the attorney general or by the board.

22 **SECTION 218.** 11.38 (8) of the statutes is amended to read:

23 11.38 **(8)** (a) A corporation ~~or~~, association organized under ch. 185 or labor
24 organization which accepts contributions or makes disbursements for the purpose

1 of influencing the outcome of a referendum is a political group and shall comply with
2 s. 11.23 and other applicable provisions of this chapter.

3 (b) Except as authorized in s. 11.05 (12) (b) and (13), prior to making any
4 disbursement on behalf of a political group which is promoting or opposing a
5 particular vote at a referendum and prior to accepting any contribution or making
6 any disbursement to promote or oppose a particular vote at a referendum, a
7 corporation or association organized under ch. 185 or labor organization shall
8 register with the appropriate filing officer specified in s. 11.02 and appoint a
9 treasurer. The registration form of the corporation ~~or~~ association or labor
10 organization under s. 11.05 shall designate an account separate from all other
11 corporation or association accounts as a campaign depository account, through
12 which all moneys received or expended for the adoption or rejection of the
13 referendum shall pass. The corporation ~~or~~ association or labor organization shall
14 file ~~periodic~~ reports under s. 11.20 and under s. 11.21 (16), if applicable, providing
15 the information required under s. 11.06 (1).

16 (c) Expenditures by a corporation ~~or~~ association or labor organization to
17 establish and administer a campaign depository account of a political group need not
18 be made through the depository account and need not be reported.

19 **SECTION 219.** 11.387 of the statutes is created to read:

20 **11.387 Election reports by labor organizations. (1)** In this section:

21 (a) "Administrative action" means any action by an agency.

22 (b) "Agency" means executive or administrative agency of any local or state
23 government or the federal government.

24 (c) "Agency official" means any official, employee, member or consultant of any
25 agency who as part of such person's official responsibilities participates in any

1 administrative action in other than a solely clerical, secretarial or ministerial
2 capacity.

3 (d) “Election-related activity” means the making of any expenditure, other
4 than a disbursement, for the purpose of publishing, broadcasting or disseminating
5 a communication which includes the name or likeness of a candidate for national,
6 state or local office or of an elected official.

7 (e) “Labor organization” means any labor organization which represents more
8 than 10 individuals who are employed in this state.

9 (f) “Legislative action” means any action by any legislative body of any local or
10 state government or the federal government.

11 (g) “Legislative employe” means any official or employe of any legislative body
12 of any local or state government or the federal government.

13 (h) “Lobbying” includes any of the following:

14 1. Any attempt to influence legislative or administrative action by oral or
15 written communication with any elected official, agency official or legislative
16 employe and includes time spent in preparation for such communication.

17 2. Appearances at public hearings or meetings of any governmental body or
18 service on any governmental body, including time spent in preparation for such
19 appearances or service.

20 (i) “Political activities” includes any of the following:

21 1. Contributions, disbursements, voter surveys and election-related activities.

22 2. Any administrative or other activity related to any contribution,
23 disbursement, voter survey, election-related activity or conduit.

24 3. Any activity related to endorsement of candidates for national, state or local
25 office.

1 4. Any other activity designed to affect the outcome of any election.

2 (j) 1. “Voter education and issue advocacy” includes any of the following:

3 a. A communication concerning any issue.

4 b. An activity related to voter participation in any election.

5 2. “Voter education and issue advocacy” does not include any activity that is a
6 political activity or is a lobbying activity.

7 (k) “Voter survey” has the meaning given in s. 11.06 (12) (a) 4.

8 **(2)** Each labor organization shall, no later than March 1 of each year, file with
9 the board a copy of its most recent report which the organization filed under 29 USC
10 431 with the U.S. secretary of labor, if the organization is required to file that report.

11 **(3)** Each labor organization shall, no later than March 1 of each year and
12 concurrently with its filing under sub. (2), if required, file with the board an election
13 report containing the following information:

14 (a) The amount expended and percentage of the total amount expended by the
15 labor organization in the preceding year for:

16 1. Contract negotiation.

17 2. Organization activities.

18 3. Strike activities.

19 4. Political activities.

20 5. Lobbying.

21 6. Voter education and issue advocacy.

22 (b) The name and address of each officer, employe or agent performing any
23 activity described in par. (a) during the preceding year and the activity performed by
24 that person.

1 (c) The name of each candidate for public office, and each political, charitable
2 or community organization to which the labor organization contributed any money
3 during the preceding year and the amount contributed.

4 (d) The name and address of any political committee with which the labor
5 organization is affiliated and the amount contributed by the organization to that
6 committee in the preceding year.

7 (4) Each labor organization which files a report under this section shall make
8 the report available to each member of the organization for inspection during its
9 regular business hours.

10 (5) Each labor organization which is required to file a report under sub. (3) shall
11 maintain records of all information required to be included in the report for a period
12 of 3 years from the date that the report is due for filing under sub. (3).

13 (6) If any labor organization fails to comply with this section, any person may
14 petition the circuit court for the county where the organization maintains its
15 principal office or records for a writ of mandamus to compel compliance.

16 (7) Except as provided in par. (b), any labor organization which violates this
17 section may be required to forfeit not more than \$100. Each day of continued
18 violation constitutes a separate offense.

19 (b) Any labor organization which files a report under sub. (3) which contains
20 false information may be required to forfeit not more than \$1,000.

21 **SECTION 220.** 11.50 (title) of the statutes is amended to read:

22 **11.50 (title) Wisconsin clean election campaign fund system.**

23 **SECTION 221.** 11.50 (1) (b) of the statutes is amended to read:

24 11.50 (1) (b) “Fund” means the Wisconsin clean election campaign system fund.

25 **SECTION 222.** 11.50 (2) (a) of the statutes is amended to read:

1 11.50 (2) (a) Any individual who desires to qualify as an eligible candidate may
2 file an application with the board requesting approval to participate in the fund. The
3 application shall be filed no later than the applicable deadline for filing nomination
4 papers under s. 8.10 (2) (a), 8.15 (1), 8.20 (8) (a) or 8.50 (3) (a), no later than 4:30 p.m.
5 on the 7th day after the primary or date on which the primary would be held if
6 required in the case of write-in candidates, or no later than 4:30 p.m. on the 7th day
7 after appointment in the case of candidates appointed to fill vacancies. The
8 application shall contain a sworn statement that the candidate and his or her
9 authorized agents have complied with the applicable contribution limitations
10 prescribed in s. 11.26 and the disbursement limitations prescribed under s. 11.31, as
11 adjusted under s. 11.31 (9), at all times to which such limitations have applied to his
12 or her candidacy and will continue to comply with the limitations at all times to
13 which the limitations apply to his or her candidacy for the office in contest, unless
14 except that the candidate is not required to comply with s. 11.26 (10) or 11.31 (2) if
15 the board determines that the candidate is not eligible to receive a grant, the
16 candidate withdraws his or her application under par. (h), or par. (i) or s. 11.26 (10m)
17 or 11.31 (3n) applies.

18 **SECTION 223.** 11.50 (2) (b) 5. of the statutes is amended to read:

19 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as
20 of the date of the spring or September primary, or the date that the special primary
21 is or would be held, if required, indicate that the candidate has received an amount
22 equal to at least the amount provided in this subdivision 5% of the applicable
23 authorized disbursement limitation, as determined under s. 11.31 (1) and adjusted
24 under s. 11.31 (9), from contributions of money, other than loans, made by individuals
25 who reside in this state and in the case of a candidate for legislative office by

1 individuals who reside in a county having territory within the legislative district in
2 which the candidate seeks office, which have been received during the period ending
3 on the date of the spring primary and July 1 preceding such date in the case of
4 candidates at the spring election, or the date of the September primary and January
5 1 preceding such date in the case of candidates at the general election, or the date
6 that a special primary will or would be held, if required, and 90 days preceding such
7 date or the date a special election is ordered, whichever is earlier, in the case of
8 special election candidates, which contributions are in the aggregate amount of \$100
9 or less, and which are fully identified and itemized as to the exact source thereof. A
10 contribution received from a conduit which is identified by the conduit as originating
11 from an individual shall be considered a contribution made by the individual. Only
12 the first \$100 of an aggregate contribution of more than \$100 may be counted toward
13 the required percentage. ~~For a candidate at the spring or general election for an~~
14 ~~office identified in s. 11.26 (1) (a) or a candidate at a special election, the required~~
15 ~~amount to qualify for a grant is 5% of the candidate's authorized disbursement~~
16 ~~limitation under s. 11.31. For any other candidate at the general election, the~~
17 ~~required amount to qualify for a grant is 10% of the candidate's authorized~~
18 ~~disbursement limitation under s. 11.31.~~

19 **SECTION 224.** 11.50 (2) (g) of the statutes is amended to read:

20 11.50 (2) (g) A candidate who voluntarily files an application to receive a grant
21 in accordance with this subsection accepts and agrees to comply with the applicable
22 contribution limitations prescribed in s. 11.26 and the disbursement limitations
23 imposed under s. 11.31 (2), as adjusted under s. 11.31 (9), as binding upon himself
24 or herself and his or her agents during the campaign of that candidate as defined in
25 s. 11.31 (7), as a precondition to receipt of a grant under this section, unless except

1 that the candidate is not required to comply with s. 11.26 (10) or 11.31 (2) if the board
2 determines that the candidate is not eligible to receive a grant, the candidate
3 withdraws the application under par. (h), or par. (i) or s. 11.26 (10m) or 11.31 (3n)
4 applies.

5 **SECTION 225.** 11.50 (2) (i) of the statutes is amended to read:

6 11.50 (2) (i) Notwithstanding par. (g), if an eligible candidate at the spring
7 election or a special nonpartisan election who accepts a grant is opposed by one or
8 more candidates in the election, ~~or~~ if an eligible candidate for an office at the general
9 election or a special partisan election who accepts a grant is opposed by one or more
10 candidates in the election who receive at least 6% of the vote cast for all candidates
11 ~~for the same~~ that office on all ballots at the September primary or a special partisan
12 primary if a primary was held, and in either case if any such opponent of the eligible
13 candidate does not accept a grant under this section in whole or in part, the eligible
14 candidate is not bound by the pledge made in his or her application to adhere to the
15 contribution ~~limitations~~ limitation prescribed in s. 11.26 (10) and the disbursement
16 ~~limitation prescribed~~ imposed under s. 11.31 (2), as adjusted under s. 11.31 (9),
17 unless each such opponent files an affidavit of voluntary compliance under s. 11.31
18 (2m).

19 **SECTION 226.** 11.50 (2m) of the statutes is created to read:

20 11.50 (2m) PUBLIC INFORMATION. Annually, no later than August 15, the board
21 may notify the state treasurer that an amount not exceeding 10% of the amount
22 transferred to the fund under s. 20.855 (4) (b) in that year, but not more than \$30,000,
23 shall be placed in a public information account. Moneys in this account shall be
24 expended as directed by the board for the purpose of providing public information
25 concerning the purpose and effect of s. 71.10 (3) and this section. Any amount placed

1 in the public information account that is not expended by the board in any year shall
2 be retained in that account.

3 **SECTION 227.** 11.50 (3) (a) (intro.) of the statutes is amended to read:

4 11.50 (3) (a) (intro.) ~~Annually on August 15,~~ Immediately after any transfer
5 under sub. (2m), the state treasurer shall annually apportion all moneys
6 appropriated to the fund ~~shall be apportioned as follows by the state treasurer:~~

7 **SECTION 228.** 11.50 (3) (a) 1. of the statutes is amended to read:

8 11.50 (3) (a) 1. If an election for state superintendent is scheduled in the
9 following year, 8% of the fund shall be placed in a superintendency account. From
10 this account, an equal amount not exceeding the amount authorized under sub. (9)
11 (a), as adjusted under sub. (9a), shall be disbursed to the campaign depository
12 account of utilized to provide a grant to each eligible candidate by the state treasurer
13 for state superintendent.

14 **SECTION 229.** 11.50 (3) (a) 2. of the statutes is amended to read:

15 11.50 (3) (a) 2. If an election for justice is scheduled in the following year, 8%
16 of the fund shall be placed in a supreme court account. From this account, an equal
17 amount not exceeding the amount authorized under sub. (9) (a), as adjusted under
18 sub. (9a), shall be disbursed to the campaign depository account of utilized to provide
19 a grant to each eligible candidate by the state treasurer for justice.

20 **SECTION 230.** 11.50 (4) (b) of the statutes is amended to read:

21 11.50 (4) (b) The executive campaign account shall be divided into accounts for
22 each executive office as provided in this paragraph. Each account shall be utilized
23 to provide a grant to each eligible candidate for the office for which the account is
24 established, in an amount not exceeding the amount authorized under sub. (9) (a),

1 as adjusted under sub. (9a). The apportionment of moneys in the executive campaign
2 account shall be made as follows:

3 1. Sixty-seven percent to be ~~apportioned between all~~ utilized to provide a grant
4 to each eligible candidates candidate for governor.

5 2. Eight percent to be ~~apportioned between all~~ utilized to provide a grant to
6 each eligible candidates candidate for lieutenant governor.

7 3. Seventeen percent to be ~~apportioned between all~~ utilized to provide a grant
8 to each eligible candidates candidate for attorney general.

9 4. Four percent to be ~~apportioned between all~~ utilized to provide a grant to each
10 eligible candidates candidate for state treasurer.

11 5. Four percent to be ~~apportioned between all~~ utilized to provide a grant to each
12 eligible candidates candidate for secretary of state.

13 **SECTION 231.** 11.50 (4) (c) of the statutes is amended to read:

14 11.50 (4) (c) The legislative and special election campaign account shall be
15 divided into a senate campaign account to receive 25% of the moneys, and an
16 assembly campaign account to receive 75% of the moneys. ~~Each account shall then~~
17 ~~be apportioned between all eligible candidates for the same office in the entire state.~~
18 The senate campaign account shall be utilized to provide a grant to each eligible
19 candidate for the office of state senator. The assembly campaign account shall be
20 utilized to provide a grant to each eligible candidate for representative to the
21 assembly. No apportionment shall be made by legislative district.

22 **SECTION 232.** 11.50 (4) (d) of the statutes is repealed.

23 **SECTION 233.** 11.50 (9) of the statutes is renumbered 11.50 (9) (a) (intro.) and
24 amended to read:

1 11.50 (9) (a) (intro.) ~~The Except as provided in sub. (9a), the total grant~~
2 available to an eligible candidate may not exceed ~~that amount which, when added~~
3 ~~to all other contributions accepted from sources other than individuals, political~~
4 ~~party committees and legislative campaign committees, is equal to 45% of the~~
5 ~~disbursement level specified for the applicable office under s. 11.31. the amount~~
6 ~~specified in this subsection, subject to the limitation under s. 11.26 (9). If there are~~
7 ~~insufficient moneys available within any account established under sub. (3) or (4) to~~
8 ~~provide for distribution of the maximum grant authorized under this subsection, as~~
9 ~~adjusted under sub. (9a), the maximum grant available to each candidate shall be~~
10 ~~reduced proportionately in such manner as to equally apportion the available~~
11 ~~moneys within that account to each eligible candidate. Maximum grant amounts~~
12 ~~are:~~

13 (b) The board shall scrutinize accounts and reports and records kept under this
14 chapter to assure that applicable limitations under ss. 11.26 (9) and 11.31 (2), as
15 adjusted under s. 11.31 (9), are not exceeded and any violation is reported. No
16 candidate or campaign treasurer may accept grants exceeding the amount
17 authorized by this subsection.

18 **SECTION 234.** 11.50 (9) (a) 1. to 6. of the statutes are created to read:

19 11.50 (9) (a) 1. For a candidate for the office of governor, \$500,000.

20 2. For a candidate for the office of lieutenant governor, \$62,500.

21 3. For a candidate for the office of attorney general, \$175,000.

22 4. For a candidate for the office of state superintendent, justice, secretary of
23 state or state treasurer, \$75,000.

24 5. For a candidate for the office of state senator, \$25,000.

25 6. For a candidate for the office of representative to the assembly, \$12,500.

1 **SECTION 235.** 11.50 (9a) of the statutes is created to read:

2 11.50 **(9a)** ADJUSTMENT OF MAXIMUM GRANT AMOUNTS. (a) In this subsection:

3 1. "Consumer price index" means the average of the consumer price index over
4 each 12-month period, all items, U.S. city average, as determined by the bureau of
5 labor statistics of the federal department of labor.

6 2. "Voting age population of this state" means the voting age population of this
7 state, as determined by the federal election commission in its most recent
8 determination prior to the date of any calculation under this subsection.

9 (b) The dollar amounts of all maximum grant amounts specified in sub. (9) (a)
10 1. to 6. shall be subject to a biennial adjustment to be determined by rule of the board
11 in accordance with this subsection. To determine the adjustment, the board shall
12 calculate the percentage difference between the voting age population of this state
13 on December 31 of each odd-numbered year and the voting age population of this
14 state on December 31, 1997. The board shall then calculate the percentage difference
15 between the consumer price index for the 12-month period ending on December 31
16 of each odd-numbered year and the consumer price index for the base period,
17 calendar year 1997. For each biennium, the board shall first multiply the
18 disbursement levels by the percentage difference in the voting age populations. The
19 board shall then multiply that product by the percentage difference in the consumer
20 price indices. The board shall adjust the maximum grant amounts specified in sub.
21 (9) to substitute that result for the existing amounts to the extent required to reflect
22 any difference, rounded to the nearest multiple of \$25, which amounts shall be in
23 effect until a subsequent rule is promulgated under this subsection.
24 Notwithstanding s. 227.24 (3), determinations under this subsection may be
25 promulgated as an emergency rule under s. 227.24 without a finding of emergency.

1 **SECTION 236.** 11.50 (10m) (title) of the statutes is amended to read:

2 11.50 **(10m)** (title) RETURN OF GRANTS PRIOR TO ELECTION.

3 **SECTION 237.** 11.50 (11) (d) of the statutes is amended to read:

4 11.50 **(11)** (d) No person may expend, authorize the expenditure of or incur any
5 obligation to expend a grant ~~or other contribution~~ after the date of any election where
6 the moneys contained in ~~such contribution~~ that grant are returnable to the state
7 under sub. (8).

8 **SECTION 238.** 11.50 (11) (e) of the statutes is amended to read:

9 11.50 **(11)** (e) No candidate may expend, authorize the expenditure of or incur
10 any obligation to expend any grant if he or she violates the pledge required under
11 sub. (2) (a) as a precondition to receipt of a grant, except as authorized in sub. (2) (h)
12 or (i) or ss. 11.26 (10m) and 11.31 (3n).

13 **SECTION 239.** 11.50 (12) of the statutes is amended to read:

14 11.50 **(12)** PROOF OF PAYMENT. No later than ~~the next due date for continuing~~
15 ~~reports under s. 11.20 (4) which occurs at least 30 days after an election in which a~~
16 ~~candidate receives a grant, or no later than 30 days after each special election in~~
17 ~~which a candidate receives a grant, whichever is earlier,~~ the candidate or his or her
18 campaign treasurer shall deliver or transmit to the board by 1st class mail, sufficient
19 proof of payment for all disbursements made from grants distributed under this
20 section. This subsection does not restrict the authority of the board to audit records
21 under ss. 5.05 (2) and 13.94 (1) (k).

22 **SECTION 240.** 11.60 (3s) and (3t) of the statutes are created to read:

23 11.60 **(3s)** (a) Notwithstanding sub. (1) and except as provided in subs. (3t) and
24 (3u), if an individual who or committee which is required to file a statement under
25 s. 11.06 (7) (a) files a statement under s. 11.06 (7) (a) which contains a material

1 misrepresentation with respect to support or opposition to a candidate, the
2 individual or committee shall forfeit an amount equal to any disbursement made or
3 obligation incurred for a purpose that is inconsistent with the statement filed by the
4 individual or committee.

5 (b) Notwithstanding sub. (1) and except as provided in subs. (3t) and (3u), if a
6 registrant, organization or individual who or which is required to file a statement
7 under s. 11.065 (2) or (5) files a statement under s. 11.065 (2) or (5) which contains
8 a material misrepresentation with respect to support or opposition to a candidate,
9 the registrant, organization or individual shall forfeit an amount equal to any
10 expenditure made or obligation to make an expenditure incurred for a purpose that
11 is inconsistent with the statement filed by the registrant, organization or individual.

12 **(3t)** (a) Notwithstanding sub. (1), if any committee or individual makes a
13 disbursement or incurs an obligation to make a disbursement of \$500 or more that
14 is required to be disclosed under s. 11.06 (7) (a) without disclosing the disbursement
15 or obligation, or prior to the 10th day after disclosing the disbursement or obligation,
16 or in an amount which understates by more than \$5,000 the amount disclosed, the
17 committee or individual shall forfeit an amount equal to any amount exceeding
18 \$5,000 that is disbursed or obligated to be disbursed or understated by the committee
19 or individual in violation of s. 11.06 (7) (a).

20 (b) Notwithstanding sub. (1), if any registrant, organization or individual
21 makes an expenditure or incurs an obligation to make an expenditure of more than
22 \$1,000 that is required to be disclosed under s. 11.065 (2) or (5) without disclosing the
23 expenditure or obligation, or prior to the 10th day after disclosing the expenditure
24 or obligation, or in an amount which understates by more than \$5,000 the amount
25 disclosed, the registrant, organization or individual shall forfeit an amount equal to

1 any amount exceeding \$5,000 that is expended or obligated to be expended or
2 understated by the registrant, organization or individual in violation of s. 11.065 (2)
3 or (15).

4 **SECTION 241.** 11.60 (3u) of the statutes is created to read:

5 11.60 **(3u)** (a) Notwithstanding sub. (1), if an individual who or committee
6 which is required to file a statement under s. 11.06 (7) (a) intentionally files a
7 statement under s. 11.06 (7) (a) which contains a material misrepresentation with
8 respect to the amount of a proposed disbursement or obligation, the individual or
9 committee shall forfeit an amount equal to any disbursement made or obligation
10 incurred for a purpose that is inconsistent with the statement filed by the individual
11 or committee.

12 (b) Notwithstanding sub. (1), if a registrant, organization or individual who or
13 which is required to file a statement under s. 11.065 (2) or (5) intentionally files a
14 statement under s. 11.065 (2) or (5) which contains a material misrepresentation
15 with respect to the amount of a proposed expenditure or obligation, the registrant,
16 organization or individual shall forfeit an amount equal to any expenditure made or
17 obligation to make an expenditure incurred for a purpose that is inconsistent with
18 the statement filed by the registrant, organization or individual.

19 **SECTION 242.** 11.60 (4) and (5) of the statutes are amended to read:

20 11.60 **(4)** Actions under this section arising out of an election for state office or
21 a statewide referendum may be brought by the board or by the district attorney of
22 the county where the violation is alleged to have occurred, except as specified in s.
23 11.38. Actions under this section arising out of an election for local office or a local
24 referendum may be brought by the district attorney of the county where the violation
25 is alleged to have occurred. Actions under this section arising out of an election for

1 county office or a county referendum may be brought by the county board of election
2 commissioners of the county wherein the violation is alleged to have occurred. If a
3 violation concerns a district attorney or circuit judge or candidate for such offices, the
4 action shall be brought by the attorney general. If a violation concerns the attorney
5 general or a candidate for such office, the governor may appoint special counsel
6 under s. 14.11 (2) to bring suit in behalf of the state. The counsel shall be independent
7 of the attorney general and need not be a state employe at the time of appointment.

8 (5) Any elector may file a verified petition with the board, the county board of
9 election commissioners or the appropriate district attorney or both with more than
10 one of them where ~~the~~ their authority is concurrent under sub. (4), requesting that
11 civil action under this chapter be brought against any person, committee or group.
12 The petition shall allege such facts as are within the knowledge of the petitioner to
13 show probable cause that a violation of this chapter has occurred.

14 **SECTION 243.** 13.82 (1) (d) of the statutes is created to read:

15 13.82 (1) (d) Shall create a bipartisan committee to study campaign finance
16 reform whenever changing electoral dynamics and campaign finance technology
17 demand such action.

18 **SECTION 244.** 14.58 (20) of the statutes is amended to read:

19 14.58 (20) (title) ~~ELECTION CAMPAIGN SYSTEM~~ FUND. Make disbursements to each
20 candidate certified under s. 7.08 (2) (c) or (cm) by the elections board as eligible to
21 receive moneys from the Wisconsin clean election campaign system fund.

22 **SECTION 245.** 15.615 of the statutes is created to read:

23 **15.615 Same; attached boards. (2) REFERENDUM APPEAL BOARD.** There is
24 created a referendum appeal board which is attached to the elections board under
25 s. 15.03. The board shall consist of the governor, the senate majority leader, the

1 senate minority leader, the speaker of the assembly and the assembly minority
2 leader or the designees of these persons.

3 **SECTION 246.** 20.510 (1) (q) of the statutes is amended to read:

4 20.510 (1) (q) (title) *Wisconsin clean election campaign system fund*. As a
5 continuing appropriation, from the Wisconsin clean election campaign system fund,
6 the moneys determined under s. 11.50 to provide for payments to eligible candidates
7 certified under s. 7.08 (2) (c) and to provide for public information as authorized
8 under s. 11.50 (2m).

9 **SECTION 247.** 20.855 (4) (b) of the statutes is amended to read:

10 20.855 (4) (b) (title) *Election ~~campaign payments~~ fund contributions*. A sum
11 sufficient equal to the amounts determined under s. 71.10 (3) to be ~~paid into~~
12 transferred from the general fund to the Wisconsin clean election campaign system
13 fund annually on August 15.

14 **SECTION 248.** 20.855 (4) (ba) of the statutes is created to read:

15 20.855 (4) (ba) *Election fund supplement*. A sum sufficient equal to \$300,000
16 in each fiscal year, to be transferred from the general fund to the Wisconsin clean
17 election system fund annually on August 15.

18 **SECTION 249.** 24.66 (3) (b) of the statutes is amended to read:

19 24.66 (3) (b) *For long-term loans by unified school districts*. Every application
20 for a loan, the required repayment of which exceeds 10 years, shall be approved and
21 authorized for a unified school district by a majority vote of the members of the school
22 board at a regular or special meeting of the school board. Every vote so required shall
23 be by ayes and noes duly recorded. In addition, the application shall be approved for
24 a unified school district by a majority vote of the electors of the school district at a
25 ~~special election~~ referendum as provided under sub. (4).

1 **SECTION 250.** 24.66 (4) of the statutes is amended to read:

2 24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered
3 by law to incur indebtedness for a particular purpose without first submitting the
4 question to its electors, the application for a state trust fund loan for that purpose
5 must be approved and authorized by a majority vote of the electors at a special
6 election referendum called, in accordance with s. 8.065, and noticed and held in the
7 manner provided for other ~~special elections~~ referenda. The question to be voted on
8 shall be filed as provided in s. 8.37. The notice of the election referendum shall state
9 the amount of the proposed loan and the purpose for which it will be used.

10 **SECTION 251.** 25.17 (1) (ys) of the statutes is amended to read:

11 25.17 (1) (ys) Wisconsin clean election ~~campaign~~ system fund (s. 25.42);

12 **SECTION 252.** 25.42 of the statutes is amended to read:

13 **25.42** (title) **Wisconsin clean election ~~campaign~~ system fund.** All moneys
14 appropriated under s. 20.855 (4) (b) and (ba) together with all moneys reverting to
15 the state under s. 11.50 (8) and all gifts, bequests and devises received under s. 11.50
16 (13) constitute the Wisconsin clean election ~~campaign~~ system fund, to be expended
17 for the purposes of s. 11.50. All moneys in the fund not disbursed by the state
18 treasurer shall continue to accumulate indefinitely.

19 **SECTION 253.** 32.72 (1) of the statutes is amended to read:

20 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following
21 question is submitted to the electors of the city at a ~~special election~~ referendum called
22 in accordance with s. 8.065 and adopted by a majority vote of the electors voting:
23 “Shall subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of
24, thus allowing the city to acquire and condemn property for street

1 widening and similar purposes, financed through assessments of benefits and
2 damages?”. The question shall be filed as provided in s. 8.37.

3 **SECTION 254.** 38.08 (1) (a) 1. of the statutes is amended to read:

4 38.08 (1) (a) 1. A district board shall administer the district and shall be
5 composed of 9 members who are residents of the district, including 2 employers, 2
6 employes, 3 additional members, a school district administrator, as defined under s.
7 115.001 (8), and one elected official who holds a state or local office, as defined in s.
8 5.02, ~~except for the office of party committeeman or party committeewoman.~~ The
9 board shall by rule define “employer” and “employee” for the purpose of this
10 subdivision.

11 **SECTION 255.** 59.05 (2) of the statutes, as affected by 1997 Wisconsin Act 35,
12 is amended to read:

13 59.05 (2) If two-fifths of the legal voters of any county, to be determined by the
14 registration or poll lists of the last previous general election held in the county, the
15 names of which voters shall appear on some one of the registration or poll lists of such
16 election, present to the board a petition conforming to the requirements of s. 8.40
17 asking for a change of the county seat to some other place designated in the petition,
18 the board shall submit the question of removal of the county seat to a vote of the
19 qualified voters of the county. The board shall file the question as provided in s. 8.37.
20 The election shall be held only on the day of the general election, notice of the election
21 shall be given and the election shall be conducted as in the case of the election of
22 officers on that day, and the votes shall be canvassed, certified and returned in the
23 same manner as other votes at that election. The question to be submitted shall be
24 “Shall the county seat of county be removed to?”.

25 **SECTION 256.** 59.08 (7) (b) of the statutes is amended to read:

1 59.08 (7) (b) The question of the consolidation of the counties shall be submitted
2 to the voters at the next election authorized under s. 8.065 (1) or an election
3 authorized under s. 8.065 (2) to be held on the first Tuesday in April, or the next
4 regular election, or at a special election to be held on a date specified in the order
5 which shall be no sooner than 45 days after the day fixed in date of the order issued
6 under par. (a), which day date shall be the same in each of the counties proposing to
7 consolidate. A copy of the order shall be filed with the county clerk of each of the
8 counties. ~~If the question of consolidation is submitted at a special election, it shall~~
9 ~~be held not less than 30 days nor more than 60 days from the completion of the~~
10 ~~consolidation agreement, but not within 60 days of any spring or general election as~~
11 ~~provided in s. 8.37.~~

12 **SECTION 257.** 60.30 (4) (b) of the statutes is amended to read:

13 60.30 (4) (b) The regular term of elected town officers, other than the town
14 assessor, commences on the ~~2nd~~ 3rd Tuesday of April in the year of their election.
15 The regular term of an elected assessor commences on June 1 in the year of the
16 assessor's election.

17 **SECTION 258.** 60.62 (2) of the statutes is amended to read:

18 60.62 (2) If the county in which the town is located has enacted a zoning
19 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to
20 approval by the town meeting or by a referendum vote of the electors of the town to
21 be held at the time of any regular or special election in accordance with s. 8.065. The
22 question for the referendum vote shall be filed as provided in s. 8.37.

23 **SECTION 259.** 60.74 (5) (b) of the statutes is amended to read:

24 60.74 (5) (b) A petition conforming to the requirements of s. 8.40 signed by
25 qualified electors of the district equal to at least 20% of the vote cast for governor in

1 the district at the last gubernatorial election, requesting a change to appointment
2 of commissioners, may be submitted to the town board, subject to sub. (5m) (a). The
3 petition shall be filed as provided in s. 8.37. Upon receipt of the petition, the town
4 board shall submit the question to a referendum at the next ~~regular spring~~ election
5 ~~or general election, or shall call a special election for that purpose~~ authorized under
6 s. 8.065 (1) or an election authorized under s. 8.065 (2) to be held not sooner than 45
7 days after receipt of the petition. The inspectors shall count the votes and submit
8 a statement of the results to the commission. The commission shall canvass the
9 results of the election and certify the results to the town board which has authority
10 to appoint commissioners.

11 **SECTION 260.** 60.785 (2) (a) of the statutes is amended to read:

12 60.785 (2) (a) Any town sanitary district may be consolidated with a contiguous
13 town sanitary district by resolution passed by a two-thirds vote of all of the
14 commissioners of each district, fixing the terms of the consolidation and ratified by
15 the qualified electors of each district at a referendum held in each district. The
16 resolution shall be filed as provided in s. 8.37. The ballots shall contain the words
17 “for consolidation”, and “against consolidation”. If a majority of the votes cast on the
18 referendum in each town sanitary district are for consolidation, the resolutions are
19 effective and have the force of a contract. Certified copies of the resolutions and the
20 results of the referendum shall be filed with the secretary of natural resources and
21 the original documents shall be recorded with the register of deeds in each county
22 in which the consolidated district is situated.

23 **SECTION 261.** 61.187 (1) of the statutes is amended to read:

24 61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements
25 of s. 8.40, signed by at least one-third as many electors of any village as voted for

1 village officers at the next preceding election therefor, shall be presented to the
2 village board, and filed as provided in s. 8.37, praying for dissolution of the village
3 corporation, such board shall submit to the electors of such village, for determination
4 by ballot in substantially the manner provided by ss. 5.64 (2) and 10.02, at a general
5 election or at a special election called by them for that purpose the next election
6 authorized under s. 8.065 (1) or an election authorized under s. 8.065 (2) to be held
7 not sooner than 45 days after presentation of the petition, the question whether or
8 not such village corporation shall be dissolved.

9 **SECTION 262.** 61.46 (1) of the statutes is amended to read:

10 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December
11 15 in each year, by resolution to be entered of record, determine the amount of
12 corporation taxes to be levied and assessed on the taxable property in such village
13 for the current year. Before levying any tax for any specified purpose, exceeding one
14 percent of the assessed valuation aforesaid, the village board shall, and in all other
15 cases may in its discretion, submit the question of levying the same to the village
16 electors at ~~any general or special~~ the next election authorized under s. 8.065 (1) or
17 an election authorized under s. 8.065 (2) to be held no sooner than 45 days after
18 submission by giving 10 days' notice thereof prior to such election by publication in
19 a newspaper published in the village, if any, and if there is none, then by posting
20 notices in 3 public places in said village, setting forth in such notices the object and
21 purposes for which such taxes are to be raised and the amount of the proposed tax.
22 The village board shall file the question as provided in s. 8.37.

23 **SECTION 263.** 62.09 (1) (a) of the statutes is amended to read:

24 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,
25 attorney, engineer, one or more assessors unless the city is assessed by a county

1 assessor under s. 70.99, one or more constables as determined by the common
2 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as
3 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners
4 except in cities where not applicable, chief of police, chief of the fire department,
5 board of public works, 2 alderpersons from each aldermanic district, and such other
6 officers or boards as are created by law or by the council. If one alderperson from each
7 aldermanic district is provided under s. 66.018 (1), the council may, by ordinance
8 adopted by a two-thirds vote of all its members and approved by the electors at a
9 ~~general or special~~ any election authorized under s. 8.065, provide that there shall be
10 2 alderpersons from each aldermanic district.

11 **SECTION 264.** 62.13 (6) (b) of the statutes is amended to read:

12 62.13 (6) (b) The provisions of this subsection shall apply only if adopted by the
13 electors. Whenever not less than ~~30~~ 42 days prior to a regular city election a petition
14 therefor, conforming to the requirements of s. 8.40 and signed by electors equal in
15 number to not less than 20% of the total vote cast in the city for governor at the last
16 general election, shall be filed with the clerk as provided in s. 8.37, the clerk shall give
17 notice in the manner of notice of the regular city election of a referendum on the
18 adoption of this subsection. Such referendum election shall be held with the regular
19 city election, and the ballots shall conform with the provisions of ss. 5.64 (2) and
20 10.02, and the question shall be “Shall s. 62.13 (6) of the statutes be adopted?”

21 **SECTION 265.** 64.03 (1) of the statutes is amended to read:

22 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,
23 and every petition for a ~~special election~~ referendum on the same, shall state the
24 number of members of which the council herein provided for shall be composed, the
25 term of office of its members, which term shall not exceed 2 years, whether they shall

1 be nominated and elected from aldermanic districts or from the city at large, and the
2 compensation, if any, which they shall receive.

3 **SECTION 266.** 64.39 (2) of the statutes is amended to read:

4 64.39 (2) Such petition shall conform to the requirements of s. 8.40 and shall
5 be signed by qualified electors of such city at least equal in number to 25% of the total
6 number of votes cast in such city for all candidates for governor at the last preceding
7 general election. Such petition shall be filed with the city clerk as provided in s. 8.37
8 and after being so filed, no name shall be erased or removed therefrom and no
9 signature shall be valid or be counted unless its date is less than one month preceding
10 the date of such filing.

11 **SECTION 267.** 64.39 (3) of the statutes is amended to read:

12 64.39 (3) Upon filing such petition, the mayor shall, by proclamation, submit
13 the questions prescribed in sub. (1) at a ~~special~~ the next election authorized under
14 s. 8.065 (1) or an election authorized under s. 8.065 (2) to be held at a time specified
15 ~~therein and within 2 months~~ not sooner than 45 days after such petition is filed. The
16 election upon such question shall be conducted, the vote canvassed, and the result
17 declared in the same manner as provided by law for other city elections.

18 **SECTION 268.** 66.01 (8) of the statutes is amended to read:

19 66.01 (8) Every charter, charter amendment or charter ordinance enacted or
20 approved by a vote of the electors shall control and prevail over any prior or
21 subsequent act of the legislative body of the city or village. Whenever the electors
22 of any city or village by a majority vote have adopted or determined to continue to
23 operate under either ch. 62 or 64, or have determined the method of selection of
24 members of the governing board, the question shall not again be submitted to the
25 electors, nor action taken thereon within a period of 2 years. Any election to change

1 or amend the charter of any city or village, other than a ~~special~~ an election as
2 ~~provided in~~ called under s. 9.20 (4), shall be held at the time provided by statute for
3 holding the spring election.

4 **SECTION 269.** 66.021 (5) (a) of the statutes is amended to read:

5 66.021 (5) (a) *Notice.* Within 60 days after the filing of the petition, the common
6 council or village board may accept or reject the petition and if rejected no further
7 action shall be taken thereon. Acceptance may consist of adoption of an annexation
8 ordinance. Failure to reject the petition shall obligate the city or village to pay the
9 cost of any referendum favorable to annexation. If the petition is not rejected the
10 clerk of the city or village with whom the annexation petition is filed shall give
11 written notice thereof by personal service or registered mail with return receipt
12 requested to the clerk of any town from which territory is proposed to be detached
13 and shall give like notice to any person who files a written request therefor with the
14 clerk. Such notice shall indicate whether the petition is for direct annexation or
15 whether it requests a referendum on the question of annexation. If the notice
16 indicates that the petition is for a referendum on the question of annexation, the
17 clerk of the city or village shall file the notice as provided in s. 8.37. If the notice
18 indicates that the petition is for a referendum on the question of annexation, the
19 town clerk shall give notice as provided in par. (c) of a referendum of the electors
20 residing in the area proposed for annexation to be held ~~within 30~~ not less than 42
21 days nor more than 72 days after the date of personal service or mailing of the notice
22 required under this paragraph. If the notice indicates that the petition is for direct
23 annexation, no referendum shall be held unless within 30 days after the date of
24 personal service or mailing of the notice required under this paragraph, a petition
25 conforming to the requirements of s. 8.40 requesting a referendum is filed with the

1 town clerk as provided in s. 8.37, signed by at least 20% of the electors residing in the
2 area proposed to be annexed. If such a petition is filed, the clerk shall give notice as
3 provided in par. (c) of a referendum of the electors residing in the area proposed for
4 annexation to be held ~~within 30~~ not less than 42 days nor more than 72 days of after
5 the receipt of the petition and shall mail a copy of such notice to the clerk of the city
6 or village to which the annexation is proposed. Any referendum shall be held at some
7 convenient place within the town to be specified in the notice.

8 **SECTION 270.** 66.022 (3) of the statutes is amended to read:

9 66.022 (3) The governing body of any city, village or town involved may, or if
10 a petition conforming to the requirements of s. 8.40 signed by a number of qualified
11 electors thereof equal to at least 5% of the votes cast for governor in the city, village
12 or town at the last gubernatorial election, demanding a referendum thereon, is
13 presented to it within 30 days after the passage of either of the ordinances herein
14 provided for shall, cause the question to be submitted to the electors of the city,
15 village or town whose electors petitioned therefor, at a referendum election called for
16 such purpose ~~within 30~~ not less than 42 days nor more than 72 days after the filing
17 of such petition, or after the enactment of either ordinance. The petition shall be filed
18 as provided in s. 8.37. Whenever a number of electors cannot be determined on the
19 basis of reported election statistics, the number shall be determined in accordance
20 with s. 60.74 (6). The governing body of the municipality shall appoint 3 election
21 inspectors who shall be resident electors to supervise the referendum. The ballots
22 shall contain the words "For Detachment" and "Against Detachment". The
23 inspectors shall certify the results of the election by their affidavits annexed thereto
24 and file a copy with the clerk of each town, village or city involved, and none of the
25 ordinances so provided for shall take effect nor be in force unless a majority of the

1 electors shall approve the same. The referendum election shall be conducted in
2 accordance with chs. 6 and 7 insofar as applicable.

3 **SECTION 271.** 66.023 (4) (e) 1. and 2. of the statutes are amended to read:

4 66.023 (4) (e) 1. Within 30 days after adoption of a final plan under par. (d), the
5 governing body of a participating municipality may adopt a resolution calling for an
6 advisory referendum on the plan. An advisory referendum shall be held if, within
7 30 days after adoption of the final plan under par. (d), a petition, signed by a number
8 of qualified electors equal to at least 10% of the votes cast for governor in the
9 municipality at the last gubernatorial election, is filed with the clerk of a
10 participating municipality and as provided in s. 8.37, requesting an advisory
11 referendum on the cooperative plan. The petition shall conform to the requirements
12 of s. 8.40.

13 2. The advisory referendum shall be held ~~within 30~~ not less than 42 days nor
14 more than 72 days after adoption of the resolution under subd. 1. calling for the
15 referendum or ~~within 30~~ not less than 42 days nor more than 72 days after receipt
16 of the petition by the municipal clerk. The municipal clerk shall give notice of the
17 referendum by publishing a notice in a newspaper of general circulation in the
18 municipality, both on the publication day next preceding the advisory referendum
19 election and one week prior to that publication date.

20 **SECTION 272.** 66.024 (4) (a) and (b) of the statutes are amended to read:

21 66.024 (4) (a) If the court, after such hearing, is satisfied as to the correctness
22 of the description of the territory or any survey and that the provisions of this section
23 have been complied with, it shall make an order so declaring and shall direct a
24 referendum election within the territory which shall be described in the order, on the
25 question, whether such area should be annexed. Such order shall be filed as provided

1 in s. 8.37. Such order shall direct 3 electors named therein residing in the town in
2 which the territory proposed to be annexed lies, to perform the duties of inspectors
3 of election.

4 (b) The referendum election shall be held ~~within 30~~ not less than 42 days nor
5 more than 72 days after the entry filing of the order as provided in s. 8.37, in the
6 territory proposed for annexation, by the electors of such territory as provided in s.
7 66.021 (5), so far as applicable. The ballots shall contain the words "For Annexation"
8 and "Against Annexation". The certification of the election inspectors shall be filed
9 with the clerk of the court, and the clerk of any municipality involved, but need not
10 be filed or recorded with the register of deeds.

11 **SECTION 273.** 66.027 of the statutes is amended to read:

12 **66.027 Municipal boundaries, fixed by judgment.** Any 2 municipalities
13 whose boundaries are immediately adjacent at any point and who are parties to any
14 action, proceeding or appeal in court for the purpose of testing the validity or
15 invalidity of any annexation, incorporation, consolidation or detachment, may enter
16 into a written stipulation, compromising and settling any such litigation and
17 determining the common boundary line between the municipalities. The court
18 having jurisdiction of the litigation, whether it is a circuit court, the court of appeals
19 or the supreme court, may enter a final judgment incorporating the provisions of the
20 stipulation and fixing the common boundary line between the municipalities
21 involved. Any stipulation changing boundaries of municipalities shall be approved
22 by the governing bodies of the detaching and annexing municipalities and s. 66.021
23 (8) and (10) shall apply. Any change of civil municipal boundaries under this section
24 is subject to a referendum of the electors residing within the territory annexed or
25 detached, if within 30 days after the publication of the stipulation to change

1 boundaries in a newspaper of general circulation in the area proposed to be annexed
2 or detached, a petition for a referendum conforming to the requirements of s. 8.40
3 signed by at least 20% of the electors of the area to be annexed or detached, is filed
4 with the clerk of the municipality from which the area is proposed to be detached and
5 is filed as provided in s. 8.37. The referendum shall be conducted as are annexation
6 referenda. If the referendum election is opposed to detachment from the
7 municipality, all proceedings under this section are void. For the purposes of this
8 section “municipalities” includes cities, villages and towns.

9 **SECTION 274.** 66.028 (6) (a) and (b) of the statutes are amended to read:

10 66.028 (6) (a) Within 30 days after the hearing under sub. (3), the governing
11 body of a participating municipality may adopt a resolution calling for an advisory
12 referendum on the agreement. An advisory referendum shall be held if, within 30
13 days after the hearing under sub. (3), a petition, signed by a number of qualified
14 electors equal to at least 10% of the votes cast for governor in the municipality at the
15 last gubernatorial election, is filed with the clerk of a participating municipality,
16 requesting an advisory referendum on the revenue sharing plan. The petition shall
17 conform to the requirements of s. 8.40 and shall be filed as provided in s. 8.37. If an
18 advisory referendum is held, the municipality’s governing body may not vote to
19 approve the agreement under sub. (2) until the report under par. (d) is filed.

20 (b) The advisory referendum shall be held ~~within 30~~ not less than 42 days nor
21 more than 72 days after adoption of the resolution under par. (a) calling for the
22 referendum or ~~within 30~~ not less than 42 days nor more than 72 days after receipt
23 of the petition under par. (a) by the municipal clerk. The municipal clerk shall give
24 notice of the referendum by publishing a notice in a newspaper of general circulation

1 in the municipality, both on the publication day next preceding the advisory
2 referendum election and one week prior to that publication date.

3 **SECTION 275.** 66.059 (2m) (b) of the statutes is amended to read:

4 66.059 (2m) (b) If a referendum is to be held on a resolution, the municipal
5 governing body shall file the resolution as provided in s. 8.37 and shall direct the
6 municipal clerk to ~~call a special election for the purpose of submitting~~ submit the
7 resolution to the electors for approval of the electors at a referendum on approval or
8 ~~rejection.~~ In lieu of a special election, the municipal governing body may specify that
9 the election be held at the next succeeding spring primary or election or September
10 primary or general election called in accordance with s. 8.065.

11 **SECTION 276.** 66.061 (1) (c) of the statutes is amended to read:

12 66.061 (1) (c) No such ordinance shall be operative until 60 days after passage
13 and publication unless sooner approved by a referendum. Within that time electors
14 equal in number to ~~20 per cent~~ 20% of those voting at the last regular municipal
15 election, may demand a referendum. The demand shall be in writing and filed with
16 the clerk and as provided in s. 8.37. Each signer shall state his or her occupation and
17 residence and signatures shall be verified by the affidavit of an elector. The
18 referendum shall be held at the next ~~regular municipal election, or at a special~~
19 ~~election within 90 days of the~~ authorized under s. 8.065 (1) or an election authorized
20 under s. 8.065 (2) to be held not sooner than 45 days after filing of the demand, and
21 the ordinance shall not be effective unless approved by a majority of the votes cast
22 thereon. This paragraph shall not apply to extensions by a utility previously
23 franchised by the village or city.

24 **SECTION 277.** 66.075 (5) of the statutes is amended to read:

1 66.075 (5) The provisions of this section shall apply only to such counties, cities,
2 villages and towns as shall have adopted the same at any general or municipal
3 election at which the question of the establishment of such county or municipal
4 slaughterhouse shall have been submitted to the voters of such county, city, village
5 or town. Such question shall, upon the filing of a petition conforming to the
6 requirements of s. 8.40 by electors of such county, city, village or town equal in
7 number to at least 10% of all the votes cast in such county, city, village or town for
8 governor at the last preceding general election, be submitted to the electors of such
9 county, city, village or town at the next ensuing election, ~~and if authorized under s.~~
10 8.065 (1) or an election authorized under s. 8.065 (2) to be held not sooner than 45
11 days after filing of the petition. The petition shall be filed as provided in s. 8.37. If
12 a majority of votes cast shall be in favor of the establishment of such slaughterhouse,
13 the provisions of this section shall apply to such county, city, village or town.

14 **SECTION 278.** 66.504 (2) of the statutes is amended to read:

15 66.504 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint
16 contract with a nonprofit corporation organized for civic purposes and located in the
17 municipality to construct or otherwise acquire, equip, furnish, operate and maintain
18 a facility to be used for municipal and civic activities if a majority of the voters voting
19 in a referendum at a ~~special election or at a spring primary or election or September~~
20 ~~primary or general~~ an election authorized under s. 8.065 approve the question of
21 entering into the joint contract.

22 **SECTION 279.** 66.521 (10) (d) of the statutes is amended to read:

23 66.521 (10) (d) The governing body may issue bonds under this section without
24 submitting the proposition to the electors of the municipality for approval unless
25 within 30 days from the date of publication of notice of adoption of the initial

1 resolution for such bonds, a petition conforming to the requirements of s. 8.40, and
2 signed by a number of electors of the municipality equal to not less than 5% of the
3 registered electors of the municipality, or, if there is no registration of electors in the
4 municipality, by 10% of the number of electors of the municipality voting for the office
5 of governor at the last general election as determined under s. 115.01 (13), is filed
6 with the clerk of the municipality and as provided in s. 8.37 requesting a referendum
7 upon the question of the issuance of the bonds. If such a petition is filed, the bonds
8 shall not be issued until approved by a majority of the electors of the municipality
9 voting thereon at a ~~general or special election~~ referendum called in accordance with
10 s. 8.065.

11 **SECTION 280.** 66.77 (3) (a) 1. of the statutes is amended to read:

12 66.77 (3) (a) 1. If the governing body of a county wishes to exceed the operating
13 levy rate limit otherwise applicable to the county under this section, it shall adopt
14 a resolution to that effect. The resolution shall specify either the operating levy rate
15 or the operating levy that the governing body wishes to impose for either a specified
16 number of years or an indefinite period. The governing body shall ~~call a special~~
17 ~~referendum for the purpose of submitting the resolution to the electors of the county~~
18 ~~for approval or rejection.~~ In lieu of a special referendum, the governing body may
19 ~~specify that~~ provide for the referendum to be held at the next succeeding ~~spring~~
20 ~~primary or election or September primary or general election to be held~~ authorized
21 under s. 8.065 (1) or an election authorized under s. 8.065 (2) that occurs not earlier
22 than ~~30~~ 42 days after the adoption of the resolution of the governing body. The
23 governing body shall file the resolution to be submitted to the electors as provided
24 in s. 8.37.

25 **SECTION 281.** 66.94 (4) of the statutes is amended to read:

1 66.94 (4) MANNER OF ADOPTION. This section may be adopted by any city, village
2 or town within the metropolitan district in the following manner: The governing body
3 of any municipality, by ordinance passed at least ~~30~~ 42 days prior to submission of
4 the question, may direct that the question of the adoption of this section be submitted
5 to the electors therein at any ~~general, special, judicial or local~~ election authorized
6 under s. 8.065. The question shall be filed as provided in s. 8.37. The clerk of such
7 municipality or the election commission of any city of the first class shall thereupon
8 submit the question to popular vote. Public notice of the election shall be given in
9 the same manner as in case of a regular municipal election except that such notice
10 shall be published or posted at least 20 days prior to the election. If a majority of
11 those voting on the question vote in the affirmative thereon, this section shall be
12 adopted in such municipality. The proposition on the ballot to be used at such
13 election shall be in substantially the following form:

14 Shall section 66.94 of the Wisconsin statutes which creates a metropolitan
15 transit authority for ownership and operation of a public mass transportation system
16 in the metropolitan district be adopted?

17 YES NO

18 **SECTION 282.** 67.05 (3) (am) of the statutes is created to read:

19 67.05 (3) (am) The question on which the referendum is held shall be filed as
20 provided in s. 8.37.

21 **SECTION 283.** 67.05 (4) and (5) of the statutes are amended to read:

22 67.05 (4) PERMISSIVE REFERENDUM IN COUNTIES. If a county board adopts an
23 initial resolution for an issue of county bonds to provide for the original construction
24 or for the improvement and maintenance of highways, to provide railroad aid, or to
25 construct, acquire or maintain, or to aid in constructing, acquiring or maintaining

1 a bridge over or across any stream or other body of water bordering upon or
2 intersecting any part of the county, the county clerk is not required to submit the
3 resolution for approval to the electors of the county at a ~~special election~~ referendum
4 unless within 30 days after the adoption thereof there is filed with the clerk a petition
5 conforming to the requirements of s. 8.40 and requesting such submission, signed by
6 electors numbering at least 10% of the votes cast in the county for governor at the
7 last general election. If a petition is filed, the question submitted shall be whether
8 the resolution shall be or shall not be approved. No such resolution of a county board
9 other than those specified in this subsection need be submitted to county electors,
10 except as provided otherwise in sub. (7).

11 **(5) REFERENDUM IN TOWNS, VILLAGES AND CITIES.** (a) Whenever an initial
12 resolution has been so adopted by the governing body of a town, the clerk of the
13 municipality shall immediately record the resolution and call a ~~special election~~
14 referendum in accordance with s. 8.065 for the purpose of submitting the resolution
15 to the electors of the municipality for approval. This paragraph does not apply to
16 bonds issued to finance low-interest mortgage loans under s. 66.38, unless a number
17 of electors equal to at least 15% of the votes cast for governor at the last general
18 election in their town sign and file a petition conforming to the requirements of s. 8.40
19 with the town clerk requesting submission of the resolution. Whenever a number of
20 electors cannot be determined on the basis of reported statistics, the number shall
21 be determined in accordance with s. 60.74 (6). If a petition is filed, the question
22 submitted shall be whether the resolution shall or shall not be approved. This
23 paragraph is limited in its scope by sub. (7).

24 (b) No city or village may issue any bonds for any purposes other than for water
25 systems, lighting works, gas works, bridges, street lighting, street improvements,

1 street improvement funding, hospitals, airports, harbor improvements, river
2 improvements, breakwaters and protection piers, sewerage, garbage disposal,
3 rubbish or refuse disposal, any combination of sewage, garbage or refuse or rubbish
4 disposal, parks and public grounds, swimming pools and band shells thereon,
5 veterans housing projects, paying the municipality's portion of the cost of abolishing
6 grade crossings, for the construction of police facilities and combined fire and police
7 safety buildings, for the purchase of sites for engine houses, for fire engines and other
8 equipment of the fire department, for construction of engine houses, and for pumps,
9 water mains, reservoirs and all other reasonable facilities for fire protection
10 apparatus or equipment for fire protection, for parking lots or other parking
11 facilities, for school purposes, for libraries, for buildings for the housing of machinery
12 and equipment, for acquiring and developing sites for industry and commerce as will
13 expand the municipal tax base, for financing the cost of low-interest mortgage loans
14 under s. 66.38, for providing financial assistance to blight elimination, slum
15 clearance, community development, redevelopment and urban renewal programs
16 and projects under ss. 66.405 to 66.425, 66.43, 66.431, 66.4325, 66.435 and 66.46 or
17 for ~~university~~ University of Wisconsin ~~system~~ System centers until the proposition
18 for their issue for the special purpose thereof has been submitted to the electors of
19 the city or village and adopted by a majority vote. Except as provided under sub. (15),
20 if the common council of any city or the village board of any village declares its
21 purpose to raise money by issuing bonds for any purpose other than those above
22 specified, it shall direct by resolution, which shall be recorded at length in the record
23 of its proceedings, the clerk to call a ~~special election~~ referendum in accordance with
24 s. 8.065 for the purpose of submitting the question of bonding to the city or village
25 electors. If a number of electors of a city or village equal to at least 15% of the votes

1 cast for governor at the last general election in their city or village sign and file a
2 petition conforming to the requirements of s. 8.40 with the city or village clerk
3 requesting submission of the resolution, the city or village may not issue bonds for
4 financing the cost of low-interest mortgage loans under s. 66.38 ~~without calling a~~
5 ~~special election to submit the question of bonding to~~ unless the issuance is approved
6 by the city or village electors for their approval at a referendum called in accordance
7 with s. 8.065.

8 **SECTION 284.** 67.05 (6a) (a) 2. a. of the statutes is amended to read:

9 67.05 **(6a)** (a) 2. a. Direct the school district clerk to call a ~~special election~~
10 referendum in accordance with s. 8.065 for the purpose of submitting the resolution
11 to the electors for approval or rejection, ~~or direct that the resolution be submitted at~~
12 ~~the next regularly scheduled primary or election permitted under s. 8.065 (1) or an~~
13 election authorized under s. 8.065 (2) to be held not earlier than 45 days after the
14 adoption of the resolution. The resolution shall not be effective unless adopted by a
15 majority of the school district electors voting at the referendum.

16 **SECTION 285.** 67.05 (6m) (b) of the statutes is amended to read:

17 67.05 **(6m)** (b) If a referendum is to be held on an initial resolution, the district
18 board shall direct the technical college district secretary to call a ~~special election~~
19 referendum in accordance with s. 8.065 for the purpose of submitting the initial
20 resolution to the electors for a ~~referendum on approval or rejection.~~ In lieu of a
21 special election, the district board may specify that the election be held at the next
22 ~~succeeding spring primary or election or September primary or general election.~~

23 **SECTION 286.** 67.10 (5) (b) of the statutes is amended to read:

24 67.10 **(5)** (b) Any city having ~~voted~~ approved the issuance of bonds at a special
25 referendum ~~election~~ held in accordance with s. 8.065 and having sold a portion

1 thereof may negotiate, sell or otherwise dispose of the same in the manner provided
2 by statute within 9 years of the date of the election voting the same.

3 **SECTION 287.** 67.12 (12) (e) 5. of the statutes is amended to read:

4 67.12 **(12)** (e) 5. Within 10 days of the adoption by a technical college district
5 board of a resolution under subd. 1. to issue a promissory note for a purpose under
6 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption
7 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of
8 the resolution, but shall state the amount proposed to be borrowed, the method of
9 borrowing, the purpose thereof, that the resolution was adopted under this
10 subsection and the place where and the hours during which the resolution is
11 available for public inspection. If the amount proposed to be borrowed is for building
12 remodeling or improvement and does not exceed \$500,000 or is for movable
13 equipment, the district board need not submit the resolution to the electors for
14 approval unless, within 30 days after the publication or posting, a petition
15 conforming to the requirements of s. 8.40 is filed with the secretary of the district
16 board requesting a referendum ~~at a special election~~ to be called for that purpose.
17 Such petition shall be signed by electors from each county lying wholly or partially
18 within the district. The number of electors from each county shall equal at least 1.5%
19 of the population of the county as determined under s. 16.96 (2) (c). If a county lies
20 in more than one district, the technical college system board shall apportion the
21 county's population as determined under s. 16.96 (2) (c) to the districts involved and
22 the petition shall be signed by electors equal to the appropriate percentage of the
23 apportioned population. ~~In lieu of a special election, the district board may specify~~
24 ~~that the referendum shall be held at the next succeeding spring primary or election~~
25 ~~or September primary or general election.~~ Any resolution to borrow amounts of

1 money in excess of \$500,000 for building remodeling or improvement shall be
2 submitted to the electors of the district for approval. Any referendum under this
3 subdivision shall be called at the next election authorized under s. 8.065 (1) or an
4 election authorized under s. 8.065 (2) occurring not sooner than 45 days after filing
5 of a petition or adoption of a resolution requiring the referendum. If a referendum
6 is held or required under this subdivision, no promissory note may be issued until
7 the issuance is approved by a majority of the district electors voting at such
8 referendum. The referendum shall be noticed, called and conducted under s. 67.05
9 (6a) insofar as applicable, except that the notice of ~~special election~~ referendum and
10 ballot need not embody a copy of the resolution and the question which shall appear
11 on the ballot shall be "Shall (name of district) be authorized to borrow the sum of
12 \$.... for (state purpose) by issuing its general obligation promissory note (or notes)
13 under section 67.12 (12) of the Wisconsin Statutes?"

14 **SECTION 288.** 67.12 (12) (e) 6. of the statutes is amended to read:

15 67.12 (12) (e) 6. A copy of any resolution of the district board under subd. 5.
16 which requires a referendum shall be promptly transmitted by the secretary of the
17 district board to the county clerk or board of election commissioners of each county
18 any part of which is contained within the district. A copy of the resolution shall be
19 filed as provided in s. 8.37. Costs of the referendum shall be borne as provided in ss.
20 5.68 and 7.03.

21 **SECTION 289.** 71.10 (3) (title) and (a) of the statutes are amended to read:

22 71.10 (3) (title) ~~CAMPAIGN~~ CLEAN ELECTION SYSTEM FUND. (a) Every individual
23 filing an income tax return who is required to do so, has a tax liability or is entitled
24 to a tax refund may ~~designate \$1 for~~ contribute any amount to the Wisconsin clean
25 election campaign system fund for the use of eligible candidates under s. 11.50. If

1 the individuals filing a joint return are required to do so, have a tax liability or are
2 entitled to a tax refund, each individual may ~~make a designation of \$1~~ contribute any
3 amount under this subsection. A contribution reduces an individual's refund that
4 is otherwise payable. A contribution does not increase an individual's tax liability,
5 but if an individual who makes a contribution has a tax liability, the individual shall
6 remit the amount contributed with his or her tax payment. If an individual who
7 makes a contribution has no tax liability or the amount contributed exceeds his or
8 her refund, the individual shall remit the amount contributed or the amount by
9 which his or her contribution exceeds the refund otherwise due with his or her tax
10 return. If an individual indicates a contribution that exceeds the additional amount
11 remitted by the individual, the indication is ineffective and the secretary of revenue
12 shall refund any amount contributed by the individual.

13 **SECTION 290.** 71.10 (3) (b) and (c) of the statutes are amended to read:

14 71.10 **(3)** (b) The secretary of revenue shall provide a place for ~~those~~
15 ~~designations~~ contributions to the fund under par. (a) on the face of the individual
16 income tax return and shall provide next to that place a statement that a ~~designation~~
17 ~~will~~ contribution does not increase tax liability but a contribution does reduce any
18 refund otherwise payable. Annually on August 15, the secretary of revenue shall
19 certify to the elections board, the department of administration and the state
20 treasurer under s. 11.50 the total amount of ~~designations~~ contributions made during
21 the preceding fiscal year. If any individual attempts to place any condition or
22 restriction upon a ~~designation~~ contribution, that individual is ~~deemed~~ considered not
23 to have made a ~~designation~~ contribution on his or her tax return and the secretary
24 of revenue shall refund any amount contributed by the individual.

1 (c) The names of persons making ~~designations~~ contributions under this
2 subsection shall be strictly confidential.

3 **SECTION 291.** 71.10 (3) (d) of the statutes is created to read:

4 71.10 (3) (d) The department of revenue shall cooperate with the elections
5 board in providing public information concerning the Wisconsin clean election
6 system fund under s. 11.50 (2m).

7 **SECTION 292.** 81.01 (3) (b) of the statutes is amended to read:

8 81.01 (3) (b) The town board by resolution submits to the electors of the town
9 as a referendum at a ~~general or special town~~ an election authorized under s. 8.065
10 the question of exceeding the \$10,000 limit set under this subsection. A copy of the
11 resolution shall be filed as provided in s. 8.37. The board shall abide by the majority
12 vote of the electors of the town on the question. The question shall read as follows:

13 Shall the town of ... spend \$... over the annual limit of \$10,000 for the
14 construction and repair of its highways and bridges?

15 FOR SPENDING AGAINST SPENDING

16 **SECTION 293.** 86.21 (2) (a) of the statutes is amended to read:

17 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this
18 section, a resolution authorizing the construction or acquisition thereof, and
19 specifying the method of payment therefor, shall be adopted by a majority of the
20 members of the governing body of such county, town, village or city at a regular
21 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The
22 resolution shall include a general description of the property it is proposed to acquire
23 or construct. Any county, town, village or city constructing or acquiring a toll bridge
24 under this section may provide for the payment of the same or any part thereof from
25 the general fund, from taxation, or from the proceeds of either municipal bonds,

1 revenue bonds or as otherwise provided by law. Such resolution shall not be effective
2 until 15 days after its passage and publication. If within said 15 days a petition
3 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality,
4 and filed as provided in s. 8.37, signed by at least 20% of the electors thereof
5 requesting that the question of acquiring such toll bridge be submitted to the said
6 electors, such question shall be submitted at ~~any general or regular municipal~~ the
7 next election authorized under s. 8.065 (1) or an election authorized under s. 8.065
8 (2) that may be is held not less sooner than 10 nor more than 40 45 days from the date
9 of filing such petition. ~~In case no such general or regular municipal election is to be~~
10 ~~held within such stated period, then the governing body of such municipality shall~~
11 ~~order a special election to be held within 30 days from the filing of such petition upon~~
12 ~~the question of whether such toll bridge shall be acquired by said municipality. The~~
13 question submitted to the electors shall specify the method of payment for such toll
14 bridge as provided in the resolution for the acquisition thereof. If no such petition
15 is filed, or if the majority of votes cast at such referendum election are in favor of the
16 acquisition of such toll bridge, then the resolution of the governing body for the
17 acquisition of such toll bridge shall be in effect.

18 **SECTION 294.** 92.11 (4) (c) of the statutes is amended to read:

19 92.11 (4) (c) *Wording of ballot question; procedure.* The county board shall
20 include the wording of the question to be placed before the electors in the referendum
21 as a part of the ordinance adopted under this section or the revision to an ordinance
22 adopted under this section. Upon the adoption of the ordinance or revision the county
23 board shall forward a copy of the ordinance or revision to the county clerk who shall
24 cause the question to be placed before the voters of the affected area in the next
25 spring or general election occurring not less than 45 days after the adoption of the

1 ordinance or revision. The form of the ballot shall correspond substantially ~~with~~ to
2 the form “D” annexed to prescribed under s. 5.64 (2).

3 **SECTION 295.** 117.20 of the statutes is amended to read:

4 **117.20 Referendum procedures. (1)** If a referendum is required under ss.
5 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November
6 occurring not sooner than 45 days following receipt of the petition or adoption of the
7 resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a).

8 **(2)** The clerk of each affected school district shall publish notice, as required
9 under s. ~~8.55~~ 10.06 (4), in the territory of that school district. The procedures for
10 school board elections under s. 120.06 (5), (9), (11), (13) and (14) apply to a
11 referendum held under this section. The school board and school district clerk of each
12 affected school district shall each perform, for that school district, the functions
13 assigned to the school board and the school district clerk, respectively, under those
14 subsections. The form of the ballot shall correspond to the form prescribed by the
15 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school
16 district shall file with the secretary of the board a certified statement prepared by
17 the school district board of canvassers of the results of the referendum in that school
18 district.

19 **SECTION 296.** 119.48 (4) (b) of the statutes is amended to read:

20 119.48 **(4)** (b) The communication shall state the purposes for which the funds
21 from the increase in the levy rate will be used and shall request the common council
22 to submit to the voters of the city the question of exceeding the levy rate specified in
23 s. 65.07 (1) (f) ~~at the September election or a special~~ an election authorized under s.
24 8.065.

25 **SECTION 297.** 119.48 (4) (c) of the statutes is amended to read:

1 119.48 (4) (c) Upon receipt of the communication, the common council shall file
2 the communication as provided in s. 8.37 and shall cause the question of exceeding
3 the levy rate specified under s. 65.07 (1) (f) to be submitted to the voters of the city
4 at the ~~September election or at a special~~ next election authorized under s. 8.065 (1)
5 or an election authorized under s. 8.065 (2) to be held not sooner than 45 days after
6 receipt of the communication. The question of exceeding the levy rate specified under
7 s. 65.07 (1) (f) shall be submitted upon a separate ballot or in some other manner so
8 that the vote upon exceeding the levy rate specified in s. 65.07 (1) (f) is taken
9 separately from any other question submitted to the voters. If a majority of the
10 electors voting on the question favors exceeding the levy rate specified under s. 65.07
11 (1) (f), the common council shall approve the increase in the levy rate and shall levy
12 and collect a tax equal to the amount of money approved by the electors.

13 **SECTION 298.** 119.49 (1) (b) and (2) of the statutes are amended to read:

14 119.49 (1) (b) The communication shall state the amount of funds needed under
15 par. (a) and the purposes for which the funds will be used and shall request the
16 common council to submit to the voters of the city at the next election authorized
17 under s. 8.065 (1) or an election authorized under s. 8.065 (2) to be held in the city
18 not sooner than 45 days after receipt of the communication the question of issuing
19 school bonds in the amount and for the purposes stated in the communication.

20 (2) Upon receipt of the communication, the common council shall file the
21 communication as provided in s. 8.37 and shall cause the question of issuing such
22 school bonds in the stated amount and for the stated school purposes to be submitted
23 to the voters of the city at the next election ~~held in the city~~ authorized under s. 8.065
24 (1) or an election authorized under s. 8.065 (2) that occurs not sooner than 45 days
25 after the date of receipt of the communication. The question of issuing such school

1 bonds shall be submitted upon a separate ballot or in some other manner so that the
2 vote upon issuing such school bonds is taken separately from any other question
3 submitted to the voters. If a majority of the electors voting on the school bond
4 question favors issuing such school bonds, the common council shall cause the school
5 bonds to be issued immediately or within the period permitted by law, in the amount
6 requested by the board and in the manner other bonds are issued.

7 **SECTION 299.** 120.06 (6) (b) of the statutes is amended to read:

8 120.06 (6) (b) No later than the first Tuesday in December prior to the spring
9 election, the school district clerk shall publish a type A notice of the school district
10 election under s. 10.01 (2) (a). Except as authorized in this paragraph, no later than
11 5 p.m. on the first Tuesday in January prior to the spring election, or on the next day
12 if Tuesday is a holiday, any qualified elector of the school district, other than a
13 write-in candidate, as defined in s. 5.02 (26), may file a sworn declaration of
14 candidacy with the school district clerk in the form provided in s. 8.21 at the place
15 specified in the notice. A write-in candidate may file a declaration of candidacy no
16 later than 5 p.m. before the day of the primary or other election at which the
17 candidate seeks office. If the school district contains territory lying within a 2nd
18 class city, or if the school board or annual meeting requires nomination papers under
19 par. (a), any qualified elector of the school district who desires to be a candidate, other
20 than a write-in candidate, shall in addition file nomination papers in the form
21 prescribed under s. 8.10 (2) and (3) with the school district clerk at the place specified
22 in the notice. If an incumbent fails to file a declaration of candidacy, and nomination
23 papers, where required, within the time prescribed by this paragraph, all candidates
24 for the office held by the incumbent, other than the incumbent, may file a declaration
25 of candidacy and nomination papers, where required, no later than 72 hours after the

1 latest time prescribed in this paragraph. No extension of the time for filing a
2 declaration of candidacy or nomination papers applies if the incumbent files written
3 notification with the school district clerk, no later than 5 p.m. on the 2nd Friday
4 preceding the latest time prescribed in this paragraph for filing declarations of
5 candidacy, that the incumbent is not a candidate for reelection to his or her office, and
6 the incumbent does not file a declaration of candidacy for that office within the time
7 prescribed in this paragraph. In the case of a 3-member school board, the qualified
8 elector shall state in his or her declaration of candidacy and on the face of his or her
9 nomination papers, if any, the office for which the elector is a candidate. In the case
10 of an apportioned or numbered school board, the qualified elector shall state in his
11 or her declaration of candidacy and on the face of his or her nomination papers, if any,
12 the apportioned area or numbered seat for which the elector is a candidate. If a
13 candidate has not filed a registration statement under s. 11.05 by the time he or she
14 files a declaration of candidacy, the candidate shall file the statement with the
15 declaration. A candidate shall file an amended declaration under oath with the
16 school district clerk in the event of a change in any information provided in the
17 declaration as provided in s. 8.21.

18 **SECTION 300.** 120.06 (7) (a) of the statutes is amended to read:

19 120.06 (7) (a) No later than 5 p.m. on the 2nd Tuesday in January, the school
20 district clerk shall verify the declarations of candidacy and certify the names of
21 candidates who have filed valid nomination papers, where required, and who qualify
22 for office. In making verifications or certifications, the school district clerk shall
23 designate the form of each candidate's name to appear on the ballot in the manner
24 prescribed in s. 7.08 (2) (a). Once filed, a declaration of candidacy or nomination

1 papers may not be withdrawn. This paragraph does not apply to write-in
2 candidates, as defined in s. 5.02 (26).

3 **SECTION 301.** 120.06 (7) (b) of the statutes is amended to read:

4 120.06 (7) (b) The school board shall require a primary election if there are
5 more than 2 candidates, other than write-in candidates, as defined in s. 5.02 (26),
6 for any seat on a 3-member board or more than twice as many candidates as there
7 are members to be elected to an unnumbered school board of more than 3 members.
8 In school districts in which a plan of apportionment of school board members under
9 s. 120.02 (2) or a plan for election of school board members to numbered seats has
10 been adopted, the school board shall require a primary election for particular
11 apportioned areas for which there are more than twice as many candidates, other
12 than write-in candidates, as there are members to be elected and for any numbered
13 seat for which there are more than 2 candidates. When there is a primary election
14 it shall be held in conjunction with the spring primary.

15 **SECTION 302.** 120.06 (8) (dm) of the statutes is created to read:

16 120.06 (8) (dm) Whenever a write-in candidate, as defined in s. 5.02 (26), files
17 a timely declaration of candidacy with the clerk, immediately notify the municipal
18 clerk or board of election commissioners of each municipality in the school district
19 of the name of the candidate and the office which the candidate seeks, unless there
20 are no candidates whose names appear on the ballot for that office or unless there
21 appears on the ballot the name of a deceased candidate for that office.

22 **SECTION 303.** 121.91 (3) (a) of the statutes, as affected by 1997 Wisconsin Act
23 113, is amended to read:

24 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)
25 otherwise applicable to the school district in any school year, it shall promptly adopt

1 a resolution supporting inclusion in the final school district budget of an amount
2 equal to the proposed excess revenue. The resolution shall specify whether the
3 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the
4 proposed excess revenue is for both recurring and nonrecurring purposes, the
5 amount of the proposed excess revenue for each purpose. The resolution shall be filed
6 as provided in s. 8.37. The school board shall call a special referendum in accordance
7 with s. 8.065 for the purpose of submitting the resolution to the electors of the school
8 district for approval or rejection. ~~In lieu of a special referendum, the school board~~
9 ~~may specify that the referendum be held at the next succeeding spring primary or~~
10 ~~election or September primary or general election, if such election is, to be held not~~
11 ~~earlier~~ sooner than ~~35~~ 42 days after the adoption filing of the resolution of the school
12 board.

13 **SECTION 304.** 125.05 (1) (b) 5. of the statutes is amended to read:

14 125.05 (1) (b) 5. The petition shall be filed with the clerk of the municipality
15 affected by the question at least ~~30~~ 42 days prior to the first Tuesday of April.

16 **SECTION 305.** 197.04 (1) and (2) of the statutes are amended to read:

17 197.04 (1) Any municipality having determined to acquire an existing plant or
18 any part of the equipment of a public utility may discontinue all proceedings to that
19 end at any time within 90 days after the final determination of compensation by the
20 commission, by a vote of the electors as herein provided, or by a resolution to that
21 effect by its municipal council, provided that such resolution shall not be of force and
22 effect until 90 days after its passage and publication. If within either of said 90-day
23 periods a petition conforming to the requirements of s. 8.40 shall be filed with the
24 clerk of such municipality as provided in s. 8.37, in a city of the first class signed by
25 5% and in all other municipalities by 10% of the electors thereof, requesting that the

1 question of discontinuing said proceeding to acquire such plant or equipment be
2 submitted to the electors, such question shall be submitted to the said electors at any
3 ~~general or regular municipal~~ the succeeding election authorized under s. 8.065 (1)
4 or an election authorized under s. 8.065 (2) that may be ~~is~~ held not less than 30, and
5 not more than 35, 42 days from the date of the filing of the petition; and if no general
6 election or regular municipal election is to be held within the stated periods, then the
7 governing body of the municipality shall order the holding of a special election for the
8 purpose of submitting to the electors in case. If the petition is filed before the
9 adoption of such resolution the question submitted shall be whether said proceedings
10 shall be discontinued, and in case if the petition is filed after the adoption of said
11 resolution the question submitted shall be whether the aforesaid resolution shall
12 remain in effect and its adoption be ratified, and such resolution shall not have force
13 or effect unless a majority of the electors voting on such question shall be in favor
14 thereof.

15 (2) The municipal council may provide for the notice, the manner of holding
16 such election and the method of voting thereon and of making returns thereof and
17 the canvassing and determining of the result thereof; provided, that notice of the
18 submission of the question contemplated herein to the electors shall be given by a
19 brief notice of that fact once a week for three weeks in some newspaper of general
20 circulation published in the municipality, and if there be no such newspaper then
21 publication may be made in any newspaper of general circulation in the county seat
22 of the county wherein the municipality is located. ~~The notice of holding any special~~
23 ~~election shall be incorporated as a part of the aforesaid notice.~~

24 **SECTION 306.** 197.10 (2) of the statutes is amended to read:

1 197.10 (2) Such contract when adopted by the common council of said city and
2 accepted by the owner or owners of such public utility shall be submitted to the public
3 service commission for its approval and upon such approval the same shall be filed
4 as provided in s. 8.37 and submitted in such manner as the common council shall
5 determine to a vote of the electors of such city at the next ~~regular municipal~~ election
6 ~~or at a special election called for that purpose~~ authorized under s. 8.065 (1) or an
7 election authorized under s. 8.065 (2) to be held not sooner than 45 days after
8 approval of the commission, and such contract shall not become binding upon such
9 city until approved by a majority vote of the qualified electors of such city voting
10 thereon. No bonds shall in any case be issued by said city under the contract or
11 contracts mentioned in sub. (1), until the proposition of their issue shall have been
12 submitted to the people of such city and adopted by a majority of the electors voting
13 thereon.

14 **SECTION 307.** 198.19 (1) of the statutes is amended to read:

15 198.19 (1) Any territory, constituting one or more municipalities contiguous to
16 a district may be annexed to and become a part of such district to all intents and
17 purposes and with like effect as though originally included therein upon such terms
18 and conditions as the board of directors of the district shall fix by ordinance adopted
19 by the affirmative vote of two-thirds of the directors-elect, provided that before such
20 ordinance becomes effective the same shall be accepted and ratified by the
21 affirmative vote of a majority of the qualified electors entitled to vote and voting in
22 a ~~special election~~ referendum called and held for that purpose, in accordance with
23 s. 8.065, in each municipality proposed in such ordinance to be annexed to the
24 district. Such ordinance shall be published and such election shall be noticed, held
25 and conducted, as nearly as may be, in the manner provided by this chapter for the

1 noticing, holding and conduct of elections upon the organization of a municipal power
2 district, except that the returns of such election and the ballots therein shall be
3 delivered to the clerk of the district. The results of said election shall be canvassed
4 publicly by the directors of the district.

5 **SECTION 308.** 755.01 (4) of the statutes, as affected by 1997 Wisconsin Act 208,
6 is amended to read:

7 755.01 (4) Two or more cities, towns or villages of this state may enter into an
8 agreement under s. 66.30 for the joint exercise of the power granted under sub. (1),
9 except that for purposes of this subsection, any agreement under s. 66.30 shall be
10 effected by the enactment of identical ordinances by each affected city, town or
11 village. Electors of each municipality entering into the agreement shall be eligible
12 to vote for the judge of the municipal court so established. If a municipality enters
13 into an agreement with a municipality that already has a municipal court, the
14 municipalities may provide by ordinance or resolution that the judge for the existing
15 municipal court shall serve as the judge for the joint court until the end of the term
16 or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt
17 an ordinance or bylaw under sub. (1) prior to entering into the agreement. The
18 contracting municipalities need not be contiguous and need not all be in the same
19 county. ~~Upon entering into or discontinuing such an agreement, the contracting~~
20 ~~municipalities shall each transmit a certified copy of the ordinance effecting or~~
21 ~~discontinuing the agreement to the elections board. The elections board shall serve~~
22 ~~as filing officer for candidates for the office of municipal judge in any municipality~~
23 ~~where an agreement is in effect. The contracting municipalities shall notify the~~
24 ~~appropriate filing officer under s. 11.02 (3e) when the joint court is created. When~~
25 ~~a municipal judge is elected under this subsection, candidates shall be nominated by~~

1 filing nomination papers under s. 8.10 (6) (bm), and shall register with the filing
2 officer specified in s. 11.02 (3e).

3 **SECTION 309.** 778.135 of the statutes is amended to read:

4 **778.135** (title) ~~**Elections board**~~ **Campaign finance forfeitures; how**
5 **recovered.** Notwithstanding s. 778.13, whenever any action or proposed action by
6 the elections board under s. 5.05 (1) (c) is settled as a result of agreement between
7 the parties without approval of the court, the moneys accruing to the state on account
8 of such settlement shall be paid to the board and deposited with the state treasurer.
9 Whenever any proposed action by a county board of election commissioners under s.
10 7.21 (2m) (a) is settled as a result of agreement between the parties, the moneys
11 accruing to the county on account of such settlement shall be paid to the board of
12 election commissioners and deposited with the county treasurer in the same manner
13 as provided for forfeitures under s. 778.13.

14 **SECTION 310. Nonstatutory provisions.**

15 (1) STUDY OF CAMPAIGN FINANCE LAW ENFORCEMENT. The joint legislative council
16 is requested to review the process for detecting and penalizing violations of the state
17 campaign finance law, with a view to detecting violations quickly and punishing
18 violators firmly in order to promote full confidence in the election system of this state.
19 If the council undertakes such a review, the council is requested to report its findings,
20 conclusions and recommendations, together with any proposed legislation, to the
21 1999 legislature when it convenes.

22 (2) REFERENDUM. There shall be submitted to the vote of the electors in
23 November 1998 the following question: "Shall section 47 of 1997 Wisconsin Act ...
24 (this act), which extends the right to vote in federal elections in this state to the adult
25 children of U.S. citizens who resided in this state prior to establishing residency

1 abroad, become effective on January 1, 1999?” If the question is approved by a
2 majority of all votes cast on the question at the election, SECTION 47 of this act shall
3 become law; otherwise, it shall not take effect.

4 (3) TERMS OF TOWN OFFICIALS ELECTED IN 1997 AND 1998. Notwithstanding section
5 60.30 (4) (a) of the statutes, the terms of office of town officers who are elected in 1997
6 and 1998 are extended until the 3rd Tuesday of April following the election of their
7 successors.

8 **SECTION 311. Appropriation changes.**

9 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
10 to the elections board under section 20.510 (1) (a) of the statutes, as affected by the
11 acts of 1997, the dollar amount is increased by \$48,500 for fiscal year 1998–99 to
12 increase the authorized FTE positions for the elections board by 1.5 GPR project
13 positions for the period beginning on July 1, 1998, and ending on June 30, 2001.

14 **SECTION 312. Initial applicability.**

15 (1) The treatment of sections 8.35 (4) (d), 11.05 (13), 11.06 (1) (a) and (am) and
16 (11) (a), 11.09 (3), 11.12 (4), 11.20 (1) and (7), 11.21 (16), 11.23 (4), 11.38 (1) (a) 2. and
17 (8) (b) and 11.50 (12) of the statutes first applies with respect to campaign finance
18 reports that are required to be filed after June 30, 1999.

19 (2) The treatment of sections 8.37, 24.66 (4), 32.72 (1), 59.05 (2), 59.08 (7) (b),
20 60.62 (2), 60.74 (5) (b), 60.785 (2) (a), 61.187 (1), 61.46 (1), 62.13 (6) (b), 64.39 (2),
21 66.021 (5) (a), 66.022 (3), 66.023 (4) (e) 1. and 2., 66.024 (4) (a) and (b), 66.027, 66.028
22 (6) (a) and (b), 66.059 (2m) (b), 66.061 (1) (c), 66.075 (5), 66.521 (10) (d), 66.77 (3) (a)
23 1., 66.94 (4), 67.05 (3) (am), 67.12 (12) (e) 6., 81.01 (3) (b), 86.21 (2) (a), 119.48 (4) (c),
24 119.49 (2), 121.91 (3) (a), 125.05 (1) (b) 5. and 197.10 (2) of the statutes first applies
25 with respect to referenda called on the effective date of this subsection.

